

DS
135
R9R92

A
A
001079221
6



UC SOUTHERN REGIONAL LIBRARY FACILITY



THE LIBRARY
OF
THE UNIVERSITY
OF CALIFORNIA
LOS ANGELES

THE
PERSECUTION OF THE JEWS
IN RUSSIA.

WITH
APPENDIX CONTAINING A SUMMARY OF
SPECIAL AND RESTRICTIVE LAWS,

ALSO A

Map of Russia, showing the Pale of Jewish Settlement,
AND A

Letter reprinted from "The Times" of 5th November, 1890.

ISSUED BY THE
RUSSO-JEWISH COMMITTEE.

LONDON :
PRINTED BY WERTHEIMER, LEA & CO.,
CIRCUS PLACE, LONDON WALL.

—
1890.

L.
125
RTR 12

THE PERSECUTION OF THE JEWS IN RUSSIA.

"All Jews born in England shall be regarded as aliens. No
"Jews shall dwell in any part of the United Kingdom but
"the Principality of Wales, and the counties of Cheshire,
"Shropshire, Hereford and Monmouth, unless they be
"full graduates of some University, members of the learned
"professions, skilled artisans certificated by the Technical
"Institute, or have been members of a Chamber of Commerce
"for five years, paying £100 per annum for that privilege.
"No Jew shall hold any government or municipal office.
"No Jew shall buy or rent landed property. All Jews shall
"pay special taxes in connection with religious functions.
"No synagogue may be opened without the Queen's signed
"permit, and no public prayers may be held in any other
"place than a synagogue. Married Jews who become con-
"verted to the Established Church of England, are *ipso facto*
"divorced on conversion, but the wife, if she remain a Jewess,
"may not marry again. All Jews attaining the age of 20
"years, shall serve five years in the active army, and thirteen
"years in the reserve, but no Jew may become an officer, or
"even an officer's servant. No Jew shall serve in the navy."

A condition of things such as is suggested by the above set of rules is so utterly impossible in free England, that they may easily raise a smile. Yet they represent in a manner calculated to bring the subject home to English readers, the normal situation of the Jews of Russia, under which they have been obliged to live for much more than a century. The whole life of the Russian Jew has always been hampered, from cradle to grave, by restrictive laws of the kind

indicated above, and given in fuller, though by no means complete, detail in the Appendix. When it is remembered that besides these special laws, Russian Jews have also to obey all the multitudinous details of the general Russian Code, a state of affairs is brought before the imagination which Englishmen would consider utterly intolerable.

Hard though the yoke was, the burden has been made absolutely unbearable by enactments brought into existence some eight years ago, and put into rigorous operation during the last three or four years; they were even, it was feared, about to be extended and intensified during the present year. The practical effect of even their present application can be best summed up in the one crushing unwritten law, "No Russian Jew shall earn a living."

HISTORICAL SUMMARY.

In order to understand and substantiate this summary it will be necessary to comprehend the general attitude of the Russian Government to the Jews, and the events that led up to the now infamous Ignatieff Laws of May 3rd, 1882. Russia is still, as is well known, in the mediæval stage of development, where Church and State are identical. Those who do not belong to the Orthodox Russian Church are not regarded as true Russians. Jews are thus both heretics and aliens in Russian eyes. With the followers of other creeds this principle could not well be carried out in its entirety without leading to international complications. But Russian Jews have no natural external protectors, and the principle is applied in full rigour to them. They do not belong to the Orthodox Church; therefore they are "foreigners," and are so styled and reckoned in the Law Books, even though their ancestors have been settled in the districts where they reside many centuries before Russia had anything to do with them.

There is another reason, besides the religious, which has caused the Russian Government to regard the Jews with scant favour, and connects them with some of the blackest pages of Russian rule. The Russian Jews are regarded as "an inheritance from Poland," and they are kept, to this day,

mainly cooped up within the confines of Old Poland, where they first came within the Russian grip. Besides Poland itself, there are the eight provinces of Western Russia (Vilna, Kovno, Vitebsk, Grodno, Minsk, Mohilev, Volhynia, Podolia), which formerly belonged to Poland. Jews are also found in the three provinces of the Ukraine or Little Russia (Kiev, Tchernigov, and Poltava), and in the four divisions of South Russia (Ekatrinoslav, Taurida, Cherson, Bessarabia). Western, Little, and South Russia—these form the notorious Jewish Pale of Settlement, and within these preeinets the ordinary Russian Jew must live and die. He must not set foot in holy and orthodox Great Russia, in the Czardoms of Kasan and Astrakhan, or in Finland and the Baltic Provinces. This restriction within the Western Provincees, applied to Jews alone of all the multifarious races, creeds, and nationalities that go to form All the Russias, is the fount and origin of all the ills that assail Russian Jewry. While it is retained, there is no hope of any permanent improvement in the condition of the Russian Jews. It cramps all their industrial and commercial energy, and, besides, marks them out to all their fellow-countrymen as aliens, and a pariah caste set apart for special and degrading treatment. The only other Russian subjects that are similarly hampered are discharged criminals.

Some attempt was made in earlier reigns to settle Jews in agricultural colonies outside the Pale, but the attempt was saddled with conditions that made its success impossible. Under the milder *régime* of Alexander II. somewhat more favourable opportunities were afforded them. In 1865 the Czar issued a rescript allowing Jewish artisans to settle outside the Pale. Besides this, the Government at that time encouraged the education of Jewish youths, who were, on becoming full graduates or members of the learned professions, allowed to settle beyond the Pale. Altogether a considerable number of Jews were by these means enabled to settle outside the Pale, thus relieving the remainder from their competition, and opening new centres for Jewish industry. Restricted as they were in other respects, this simple boon enabled them to advance in many ways, especially in education.

After his lamentable death a change occurred in the position of the Jews. The anti-Semitism of Germany had been merely theoretical and vapouring. But it served to bring the chronic anti-Semitic feeling of the Russian officials to a head, with the deplorable result known as the Anti-Jewish Riots of 1881. Perhaps the officials were not altogether sorry to let the excitement of the people vent itself on the Jews. Besides this, a few of the more prominent Nihilists were discovered to be Jews by birth, though they had long cast off all connection with their creed and people. This was urged as an excuse by the official world for their attitude towards the Jews as a body, and caused them to look on at the terrible riots without stirring a finger to prevent or remedy them.

At the head of the Ministry of the Interior at that time stood General Ignatieff. He proved that he shared the anti-Semitic views of the official world by issuing a rescript in September, 1881, even before the riots were over, putting leading questions to the local governors as to the best means of preventing the Jews from "exploiting" the peasantry. After allowing time to elapse in order to receive their answers, he issued the now notorious May Laws of May 3rd, 1882, O.S. The actual text of these is important enough to be reproduced in its entirety, and in its original form as given in No. 42 of the Official Collection of Laws.

THE MAY LAWS.

"272. *On the execution of the Temporary* Orders concerning the Jews.*
The Committee of Ministers, having heard the report of the

* *Temporary Laws* are those passed as Resolutions of the Committee of Ministers. The constitutional legislative body is the Council of the Empire, consisting of high officials, all nominees of the Crown, and presided over by the Grand Duke Michael. The Council would not at that time have consented to pass such laws as the May Laws; so Ignatieff had recourse to the alternative, allowed in cases of urgency, of getting the May Laws enacted as Resolutions of the Committee of Ministers. When the Imperial sanction was obtained, they became temporary laws. A temporary law may last for ever. As a matter of fact, the May Laws have already existed over eight years.

Minister of the Interior on the execution of the temporary orders concerning the Jews, resolved—

- (1.) As a temporary measure and until a general revision has been made in a proper manner of the laws concerning the Jews, to forbid the Jews henceforth to settle outside the towns and townlets, the only exceptions admitted being in those Jewish colonies that have existed before, and whose inhabitants are agriculturists.
- (2.) To suspend temporarily the completion of instruments of purchase of real property and mortgages in the name of Jews; as also the registration of Jews as lessees of landed estates situated outside the precincts of towns and townlets, and also the issue of powers of attorney to enable Jews to manage and dispose of such property.
- (3.) To forbid Jews to carry on business on Sundays and on the principal Christian holidays, and that the same laws in force about the closing on such days of places of business belonging to Christians shall, in the same way, apply to places of business owned by Jews.
- (4.) That the measures laid down in paragraphs 1, 2 and 3 apply only to the Governments within the Pale of Jewish Settlement.

His Majesty the Emperor was graciously pleased to give his assent to the above resolutions of the Committee of Ministers on the 3rd of May, 1882."

The effect of the first clause of this enactment would clearly be to create a Pale within the Pale. Hitherto, ordinary Jews, if prevented from going beyond the Pale, could move from town to village, and from village to village, within the Pale. This was to be stopped. In process of time all the Jews of the Pale would be cooped up in the towns and "townlets" found within it. There they might be left to "stew in their own juice."

The second clause was not less wide-reaching in its scope, for it tended to the same end, by restricting still further the possibility of Jewish life in the country. If a Jew might not acquire land by purchase, mortgage or lease, or have anything to do with landed estate, his country life must come to an end,

and even the favoured exceptions permitted to reside in the villages as old inhabitants would have no work to occupy them.

The third clause was specially hard in places where the large majority of inhabitants were of the Jewish faith, and kept Saturday as their day of rest.

The last clause, however, was a saving clause, restricting the application to the Pale, and leaving movement free throughout Poland.

Ignatieff began to carry his temporary laws into execution, but the burst of indignation in Western Europe at the Russian persecution of the Jews helped to bring about his fall in the autumn of 1882, and with his disappearance his laws were to some extent discredited and only partially carried into execution. Indeed, in some places, it was considered that they had been withdrawn. Thus, in November, 1884, on a certain point concerning these laws being referred to the Governor-General of Vilna, he replied that they were suspended and under consideration by the Senate.

But whether moderately or rigorously applied, the May Laws still remained on the Russian Statute Book, and only needed a revival of anti-Semitic feeling among the rulers of Russia to be brought into full operation. This came with the increased power of M. Pobiedonostzeff, Procurator of the Holy Synod since 1880, whose baneful influence on the mind of his former pupil, the present Czar, has brought into Russia an era of religious intolerance directed against all dissenters from the Orthodox Church. Oppressive and repressive laws have been directed and applied against Christian sects; Lutherans and Roman Catholics are suffering to some extent, though not so severely as the Jews, from M. Pobiedonostzeff's determination to suppress every influence in Russia that is not strictly Orthodox.

Against the Jews it was not necessary to introduce new measures to effect this end. The May Laws were conveniently in existence, and as time went on, the interpretation given by the Senate, the highest court of appeal, became more and more stringent. On one occasion it was decided that certain Jews who had been settled in a village within the Pale before May,

1882, could not migrate to any other village. This became a leading case, and the result has been to make the word "settle" equivalent to "intern." A Jew who was settled in a Russian village within the Pale before 1882 is very literally "settled" there. The important corollary was added that the object of the May Laws was "the complete, though gradual, withdrawal of the Jews from the open country."

The withdrawal of the Jews had to be gradual, or else the object would be too apparent, and the resulting congestion lead to some pestilence. But the May Laws have been applied locally and intermittently throughout the Pale of Jewish Settlement, harrying the Jews from the villages into the towns, the enforced removal causing in most cases the entire impoverishment of their families, and the finding of employment in the towns becoming more difficult with each new irruption of Jewish villagers. Thus it will be readily understood what acute misery has been caused to the Hebrews of the town of Tchernigov by this clearing of the neighbouring villages. Within little more than eighteen months the Jewish population of the town, already overcrowded as it was, has risen from 5,000 to 20,000 souls: four have now to find a living where one found a difficulty in doing so before.

PROJECTED EXTENSION OF MAY LAWS.

During the winter of 1889-90 it became known that official Russia had it in mind, not as one would have thought, to repeal the May Laws, the disastrous effect of which had already become apparent, but to extend and intensify them and render them permanent. Information was sent to the Governors-General that it was proposed to advise the Czar to adopt new measures, having for their object the extension of the May Laws, the addition of new edicts emphasising the old restrictions and disqualifications, and lending the sanction of permanent law to many legal decisions of the Senate given in a sense adverse to the Jews.

It was understood that the Grand Duke Michael, president of the Imperial Council, objected to these repressive laws, and

it was even reported that the Czar himself signified his disapproval of this policy of persecution.

But notwithstanding this powerful intervention, which gave rise to high hopes, from some unexplained cause drafts of the projected laws were sent to the governors of the several provinces, ostensibly with the object of inviting their opinion thereon.

Curiously, however, some of the Governors-General, to whom the draft laws were submitted for comment, began to act almost as if they had actually been ratified. They thus became known to the Jews and others; copies of the draft laws were freely circulated in Paris, London, Vienna, and Warsaw, and attention was called to their stringent character in the European press, the *Times* taking the lead in denouncing the intended tyranny. Forthwith Russian Ambassadors and other accredited individuals hastened to assure the world that no new enactments had been passed, and that no fresh edicts against the Jews were intended.

Indeed, it must have become obvious to the Russian officials that no such fresh laws were necessary to effect the end they had in view, namely, to clear the rural districts of the Jews, and to practically intern them in the towns. By a rigorous application of the first May Law, and by an insidious straining of its terms, already effected by the decisions of the Senate, they could attain their ends, at least as regards the Pale of Settlement, without any of the formalities and invidiousness of new legislation. Indeed the Russian Code is so framed that it can be turned into a formidable means of persecution at any time, simply by the revival of old laws and applying the thumb-screw of police administration. The manifest injustice of thus leading the world to think these laws are abrogated by disuse, and then suddenly calling them into active operation must be abundantly obvious. The existence of the laws even as a dead-letter is a hardship, being a perpetual menace, and marking the Jews as a pariah class. This renewed application of dead laws is not alone an evil *per se*, but carries with it the further grievance that the Jews never know when such

legal weapons may not be re-opened upon them. Thus the Russian Jew lives in a perpetual state of insecurity, and may truly be said to live on the brink of a volcano. And then a further hardship is inflicted by the interpretation of the law which is invariably taken by the Senate, the Supreme Court of Appeal, in a sense adverse to the Jews. On one occasion, indeed, this has been acted upon as a ruling principle. A Jew, who had the right of residence, and, therefore, of holding a house outside the Pale, desired to register a deed of transfer of a house to his wife, relying on the general principle of Russian law that a husband communicates all his civil rights to his wife. The officials refused to register, and on the matter being referred to the Senate, it confirmed the refusal, on the principle that the general Russian laws are to be interpreted in a restrictive sense with respect to Jews. In other words, unless the Russian Code expressly says to the Hebrew, "you may," it must be assumed to say "you shall not." And there still remains a further hardship for the unfortunate Russian Israelite in the harsh manner in which the law is administered by the officials.

EXPULSION FROM VILLAGES.

A few instances of this latter point may be adduced, to enable the reader to realise what is implied in the new process of carrying out the May Laws, respecting the expulsion from the villages of Jews who did not reside there before 1882. What the ulterior consequences of such expulsions will be we shall see later on. In the villages of Gawinoski and Alexeewki, near Okna (Podolia), all the Jews received expulsion orders, the reason assigned being that their names were not on the registers in May, 1882. Notwithstanding the fact that they had all been residents in these villages from 10 to 15 years, and that the peasants and landowners testified to the general fact that they had all been there prior to 1882, they were forced to depart without delay. It was mid-winter at the time, and they craved leave to stay till spring; but their petition was refused, and they were turned out of their homes

during the most inclement weather, and had to seek refuge in the towns. Four Jewish families were summarily expelled from Stanislawowki. Among them was a woman who was dangerously ill, and she begged the district official to grant her a little time to give her the chance of recovery. He not only refused, but gave orders to all the peasants in the neighbourhood that they might not afford shelter to any of the expelled Jews even for a single night.

At Szebesh (Vitebsk) the expulsion of Jews was carried out in a very complete manner, the police having also included a large number of artisans. There was, however, one Jew, who with his family seems to have escaped the vigilance of the police. When the fact was discovered by the police inspector, he drove in a cart to the village in the middle of the night, turned out the family, put the children and baggage into the cart, and started off with them to the nearest town, leaving the parents to trudge behind. At a distance of two versts from the town he put down the children and effects in the middle of the road, and then drove away, leaving the children alone in the dark and cold.

As an instance of the way in which the law is strained, take the following case. In the village of Palitzki, which is nearly large enough to be regarded as a town, the population consisted almost exclusively of Jews. Suddenly the police awoke to the fact that it was a village, and not a town, and expelled all those who had not resided there before May, 1882. Among the expelled was one M. M., who had been born and bred there, and had never left the place. A short time since, however, he stayed away a few days to marry a girl who was resident with her family at Szebesh. On his return with his bride he was forthwith ordered to leave. His whole life-long sojourn was ignored, and he was regarded as a new settler under the May Laws, and expelled accordingly.

A Jewish soldier discharged from the army on the expiration of his term of service was similarly expelled from the same village, though he had belonged to the village before commencing his military career. His prior sojourn was ignored. The fact of his absence being due to an act of

military duty was also ignored. His return was regarded as a new arrival, and the expulsion order was issued, and had to be obeyed. Many other expedients are resorted to to oust the Jews even from non-rural districts. The suburbs of large towns are officially declared to be outside the urban limits, and therefore to be counted as villages. On this plea Jewish families have been driven from the suburbs of Vilna into the already overcrowded ghetto of that town. A place named Reshilovko has been always regarded as a town, and officially so styled in public documents. Recently a decree was issued expelling the Jews from its precincts as from a village. On its being pointed out that it had been officially recognised as a town, the reply was made that it could not be a town, as it had no Town Council.

EXPULSION OF ARTISANS.

Such are the means by which the Russian Administration is carrying out the design of the May Laws to clear the open country of the Jews, and coop them up in towns. The Czar's officials are, however, just as zealous and as subtle in forcing back into the Pale of Jewish Settlement the many thousands who have managed to escape that prison house. Among these the largest number consists of artisans who, as we have seen, were granted the right of free movement by Alexander II. in 1865. It would be, perhaps, too barefaced to refuse this right directly, but the very generality of the permission gives an opportunity to the officials for evading it. It gives permission to "artisans" to reside outside the fifteen provinces; but who is to say what classes of workmen are to be included under the term "artisan"? Thus the administration of the Province of Smolensk has decided that Jewish bakers, butchers, glaziers, and vinegar makers are no longer to be regarded as artisans, and accordingly Jews coming under those categories have been ordered to quit Smolensk and return to the Pale of Settlement. The authorities of Simbirsk have taken the hint and acted upon it, expelling several Jewish artisans and their families. A vinegar maker who had lived there for thirty years and

had carried on his trade in the same place since 1869, was ordered to leave, the artisans' guild having lately declared that vinegar making was not a handicraft trade, and this though the Senate last year determined that vinegar makers were to be regarded as artisans, and were therefore to be permitted residence anywhere in Russia. This Jew, however, though 72 years of age, and with a family dependent on him and his trade, has been forced to depart, and he and his family are ruined. From the same town a Jewish baker, resident in the place for twenty-five years, has also been expelled, presumably because a baker is no longer regarded as an artisan. The expulsion order as usual included all the family. The eldest son, a student in the highest class of the Gymnasium is thus also compelled to leave the town, and his studies are cut short just as he is about to attain the educational position at which he aimed. It may be here remarked that the right of residence outside the Pale does not pass on to the children unless they also qualify as artisans. If not so qualified, at the age of twenty-one they must settle within the Pale.

Another instance of the elasticity of the term "artisan" is afforded by the craft of printing. Quite recently, twenty-five Jewish workmen, at a well known printing press at Moscow, were summarily dismissed and sent back to the Pale, though some of them had lived outside it as compositors ever since 1874. On inquiry being made of the reason for this, the reply was made that printing is not a handicraft but an art-craft, and that therefore compositors are not artisans. One of the victims of this injustice is now in London.

A further loophole is afforded to the officials by the epithet "skilled" which is applied to the term "artisan." With the extreme division of labour in modern industry, it is rare to find a workman competent in all parts of his craft, and it is therefore easy to find him tripping by purposely setting him to do some branch of his craft with which he is not acquainted. Thus a tailor's cutter is set to do the work of a presser, or *vice versa*, and on his failing, the unfortunate victim is expelled from the guild and from the town where he had at least been able to earn a living. In most cases the

guild-master is called upon to judge as to the workman's capacity for his trade, and there is at the present moment, in London, a Jewish shoemaker from Livonia who was expelled on the judgment of a guild-master, a rival neighbour. Similarly an artisan must work at his craft in order to retain the privilege. The police will therefore make a domiciliary visit on the Jewish Sabbath, and finding the workman at rest expel him for not being engaged at his craft. Still more harshly the same restriction is applied to workmen who have passed the age for work. These are ruthlessly sent back to the Pale, from the towns where they have spent a lifetime of honourable industry.

Even within the Pale no favour is shown to artisans, the plea being that they are not specially excepted from the May Laws. In the village of Lepeticha (Melitopol district) expulsion orders were served on a hundred families, on the ground that the names of those families did not appear on the registry before May, 1882. As a matter of fact, no such special registry existed in the village before or even at that date; so registration, even if the Jews had deemed it necessary, would have been impossible. Official documentary evidence was therefore not forthcoming, though the evidence of their neighbours proved that they had resided in the village above ten years. Many of the people served with expulsion orders were artisans, whose certificates showed them to be workers in the village before 1882, but this availed them nothing. They then claimed that as artisans they had the right to live anywhere in Russia: but here again they were foiled, for it was pointed out to them that the May Laws made no exception in favour of artisans. These might be allowed to live outside the Pale, but could not within it live in villages. The hundred families had to leave the village within thirty days, under pain of expulsion by *étaupe*, in the company of criminals, handcuffed, two and two, and driven more like animals than men.

Thus every means are adopted within the fifteen provinces to carry out the policy of internment in the towns, and without them every subterfuge is utilised to drive back within them the most numerous class of Jews—skilled artisans who have

managed to escape from the ghetto. Yet more deliberate is the policy by which the Government are seeking to limit the number of those who in the future will be enabled to escape beyond the Pale. Liberty of movement beyond it is granted only to three chief classes: young men who have reached the higher grades of education in the universities, certain classes of professional men, and merchants of the first guild. In the first two classes of cases recent measures have been passed, evidently intended to limit the number of those who might escape by their intellectual ability from being imprisoned in the Pale.

RESTRICTIONS ON EDUCATION.

The Jew has been always renowned for his care of his children's education. In Russia he has the further incentive of being able by this means to gain for his sons a release from a veritable prison-house. Ever since Alexander II. gave encouragement to his Jewish subjects to attend the schools of the country, they have eagerly taken advantage of the privilege. Any lad who has shown the slightest promise of intellectual ability has been encouraged to pursue his studies. If his father was not rich enough to support the lad during his years of study, his neighbours would club together to help him. Owing to this avidity for education, the proportion of Jewish children at the schools, especially the higher schools, has always been larger than that of the general population, a fact which one would have thought would be put down to their credit. This is not the view adopted by the Russian official world, which has recently taken steps to lessen the number of lads educated at the gymnasia and at the universities, and by that means lessening the number of those who in the next generation would be entitled to settle beyond the Pale. One cannot think the association of the two things is accidental.

Hitherto there has been no direct check put upon this most praiseworthy zeal of Jewish parents to give their children the best education in their power. But, three years ago a new

restriction was put that is a typical example of persecution in the guise of red-tape. A rescript was issued limiting the proportion of Jewish scholars at universities and gymnasia to 10 per cent. in the Pale, 5 outside it, and 3 at Moscow and St. Petersburg. At first sight this does not seem so unfair, since the proportion of the Jewish population within the Pale is only 12 per cent. or thereabout. But this proportion is reckoned on the whole population, in town or country, whereas the universities and higher schools are, of course, in the towns; and here the Jewish proportion is very much higher: in eighty-two towns, over 50 per cent.; in four over 80; and these statistics are from 1884, before the May Laws had driven so many more Jews into the towns. It is a manifest injustice that in a town where half the inhabitants are Jews, only one-tenth of the scholars of the High School shall be of the Jewish persuasion. It is, for instance, palpably unjust that at the University of Odessa, only 5 per cent. of the students may be Jews when there are 106,000 of that creed, out of a total population of 240,000. The case is still harder with the universities and technological institutes, where an actual means of livelihood depends on passing through such establishments.

Debarred thus from the public schools, the Jews of Russia might reasonably ask to be allowed to establish higher schools of their own. Indeed the surplus of the special tax put upon animals killed in accordance with Jewish law is declared legally to be intended for that purpose. As a matter of fact it is rarely so applied: on one occasion the Governor of Kishineff "borrowed" 100,000 roubles from this surplus to build himself an official residence. But apart from this, the Jews, in several instances, attempted to establish higher schools at their own cost but were met by a recent rescript forbidding them, and pointing out that the ordinary schools were open to the Jews. This is sufficient to indicate that the policy at the root of the new restriction is to limit the number of highly educated and professional Jews, who would have a right to freedom of movement. It was, doubtless, this same policy that caused the Russian Government to refuse Baron Hirsch's munificent

offer of £2,000,000 sterling, to be applied to the higher and technical education of the Russian Jews.

Even where schools have been established by the munificence of opulent Jews, the proportion of Jewish scholars is still rigidly kept. Thus, at Vinitza (Podolia) a technical school was recently opened at the expense of the late Mr. Weinstein, a member of the Jewish community there, who number some 10,000 out of a total population of 25,000. Notwithstanding the fact that the Jews were nearly half the population, and the school was founded by a Jew, only eight scholars of that creed were admitted, while eighty Christian lads were granted the privilege. In the same way, at Gorlovka, there is a mining school established by the late M. Poliakoff, the Jewish railway contractor. It was hoped that Jewish students would have free access to such an establishment, and a number of them studied for a whole year beforehand, in order to be prepared for the course of study at the school. On application to be admitted, however, only the normal five per cent. were allowed to pass its portals, and the remainder had to bear the waste of a year of their lives as best they might.

RESTRICTIONS ON PROFESSIONS.

Besides closing the professions in this way by limiting the number of those who may go through the necessary education and examinations for them, the Russian Government has recently lessened the opportunities of those who even by a lucky chance are among the tenth who are admitted to the higher educational establishments. Recent regulations have decided that no Jew shall be an army doctor; the only college for veterinary surgeons, that at Charkov, has been closed to them. Jews cannot be engineers, they are excluded from the Civil Service, and indeed all public offices. The profession of advocate, in which Jews have had great success, is now closed except to those who can obtain a permit of the Minister of Justice, a permit which recent experience has shown is now never given.* The Russian Law in effect says: " You Jews

* While these pages have been passing through the press, according to newspaper reports, the Czar's attention has been called to the injustice,

may study for the law, but you must not practise at the bar. You may study to be engineers, but you must not act in that capacity." There can be little doubt that these illiberal measures have been adopted, partly at least, in order to lessen the number of those who can escape from the Pale. As an instance of the all-seeing watchfulness of the Russian Government in this regard, we may take the following recent enactment. Midwifery is one of the professions that confer liberty of movement outside the Western Provinces. But a recent decision has settled that a midwife does not confer the same right on her children, who must be left behind if she desires to follow her profession in Russia proper.

MERCHANTS OF FIRST GUILD.

The only other class of Russian Hebrews that are permitted free movement through the land of their birth, is that of merchants of the first guild who have paid their subscription, about 1,000 roubles annually, for five years inside the Pale, and who continue to pay the same outside it. It is obvious that this class can be but small, and is not an unwelcome one to the minor officials, whose income is largely supplemented by black-mail. But even these merchants have restrictions put upon them. They may take one Jewish clerk with them, but if he leaves them they may not replace him by another from within the Pale, and until recently they could not have a Christian servant or clerk. Again, such a merchant may have his children with him till they reach twenty-one, but he must not bring his aged parents. A case has been known in which, to evade this barbarous restriction, a merchant registered his old father as his valet, and his own mother as his cook.

EXTENT AND EFFECTS OF EXPULSIONS.

It is by this time abundantly obvious to the reader, that recent Russian legislation concerning the Jews has been in-

and a number of Jewish advocates have received the permit. This statement has not been confirmed, and without official confirmation appears somewhat apocryphal.

sidiously and carefully directed to two points—to force all Jews into the towns within the Pale, and to reduce the number of those outside it as far as possible. An estimate has been made of the number of Russian Jews who will be dislodged from their homes by the new restrictions. It is on the face of it rough, and in round figures, but may be useful to define the situation even approximately :—

Expulsion from villages inside Pale is				
estimated to affect	...	...	...	500,000
Expulsion of artisans outside Pale		...		200,000
Expulsion from the commercial towns				
outside Pale (Riga, &c.)	...	...		500,000
Expulsion from the 50 Verst Zone*		...		250,000
			Total	<u>1,450,000</u>

Even if we reduce this number to a million, this is an enormous mass of persons to be thrown suddenly on their own resources in strange localities already overburdened with persons of their own creed and callings. The process of harrying the Russian Jews from pillar to post is as yet only in its initial stages. But already the mass of misery that has been produced by the congestion is appalling. Jews have always been the poorest class of all Russians, owing to their large families and heavy taxes, reckoned to be half as much again as even those of a Russian Christian Dissenter. But the new policy of cooping them up in towns has made their poverty more pronounced. There are said to be over 25,000 Jewish paupers in Berditchev, the Russian Jerusalem, and throughout the Pale thousands of families have only one meal a day, and not even that if the head of the family has not found work during the day. The congestion of the Jews into the towns forces them into the petty trades and sweated urban industries. They are obliged often to work and live in the same room, to the number of 15. No wonder those who take refuge in England find the life of a “greener” in a back-slum

* Jews must not reside within a distance of 50 versts (33 miles) of the frontiers, but this rule was allowed to become obsolete. It is now being put into force again.

of East London preferable to such extremity of misery. Jewish philanthropists in London, who have taken pity on some of the victims of the sweating system, and offered to send them back to Russia, have been met by the assurance that, wretched as their life here is, it is luxury and comfort compared with the same fate in the Russian ghetti.

The cooping up in towns is beginning to tell most terribly on the morbidity and general vitality of the Russian Jews, who alone of all their co-religionists fail to show superior vital statistics to those of their neighbours. Doctors used to credit Jews with immunity from phthisis. But of recent years the number of rejections for this disease, which cannot be malingered, was among Russo-Jewish recruits 6·5 per cent, against 0·5 of other Russians. For other diseases and for feeble constitution, no less than 61·7 of the Jewish recruits were rejected, against but 27·2 of the ordinary Russians. A terrible tale is told by such figures. Translated into plain English, it means that the persecution is a persecution to *death*.

Sad as is the physical degeneration caused by the cooping up of the Jews within the Pale, and inside the towns within it, still sadder is the moral degeneration which is the direct result of it. What must result when ten men are kept in a place where only three could find a decent living? The fierceness of the struggle for existence can only result in fraud and chicanery being employed as the only means of living. None of the more honourable careers being open, they are forced to over-crowd the petty industries and to undersell one another. The vast bulk of the Russian Israelites are at the present moment living on the verge of starvation, which is only kept off by the admirable way in which they help one another. But with starvation thus staring them in the face, what wonder if any means be adopted to avoid it? The accusation which the Russian officials bring against the fraudulent tendencies of the Jews is the direct outcome of their own treatment and the severest condemnation of it.

PERSECUTION BY LOCAL OFFICIALS.

Beside the direct misery that is produced by this "intern-

ment" in the towns of the Pale, there is much indirect persecution caused by the overt evidence it affords of the ill-will of the Russian Government towards the Jews. No one watches the political weathervane with such keenness as the Russian *Tchinornik*. Seeing the Government set against the Jews, the minor officials feel justified in putting into full force the multitudinous oppressive measures against them that crowd the Russian Statute Book. They even initiate new regulations of the character of bye-laws to further harass the lot of the unfortunate Hebrews whose onerous taxes go to pay part of their salaries. All these additional restrictions bring further grist to the official mill by affording new opportunities for blackmail on the part of the officials. It is, of course, impossible to quote more than a few examples of the oppressive character of the local tyranny which supplements so effectually the more systematic persecution of the Government.

One of the most strikingly degrading of these minor persecutions is the recent issue of orders by the Governors-General of Odessa and Mohilev, permitting the local police to punish any Jew "showing disrespect" in the public streets. The Israelites of Odessa, as a mark of their indignation, for some time after the issue of the order, refused to attend any public place of resort, and the order would seem to have been withdrawn in that city. But Jews are now obliged to touch their hats to every official on pain of being punished for the vague crime known as "disrespect."

A further hardship which Jews have recently suffered from the local administration, is the stringent carrying out of the laws against the employment of Israelites in the Government service. This principle is now being made retrospective. Thus, in consequence of a circular from the Deputy-Governor of Kovno, to the effect that all Jewish writers and clerks in the Government offices, municipal establishments, and courts of justice, were to be dismissed, ten Jews in Novo-Alexandrovsk, who had been in the public service for more than fifteen years, during which they had enjoyed the esteem and confidence of their Christian fellow-workers, were suddenly

discharged. They and their families are now absolutely without means and are reduced to beggary.

Even after dismissal, former *employés* of the Government are mercilessly persecuted. Some Jewish clerks, having been dismissed by Government order from the offices of the Odessa Notaries, joined in establishing an office for the preparation of petitions and drafting documents, thinking that they might thereby gain a scanty living. The Governor-General of Odessa, however, has ordered the police to close this office, and the families of the dismissed clerks have consequently been reduced to a state of abject poverty.

And here, again, as elsewhere, the restrictive application is made as stringent as possible. It is reported from Kiev that the senior physician of the Kirilov Hospital having admitted several Jewesses to practise as nurses in the wards, this fact was brought to the knowledge of the local governor, who issued an order that no person of the Jewish religion should be allowed to practise in the hospital, and the Jewesses were accordingly discharged, presumably on the ground that nurses are Government officials. Similarly private tutors, by some inscrutable interpretation, are brought under the same category. The directors of the different Teachers' Institutes of Kishinev have received orders from the Minister of Public Instruction that no Jewish teachers may give instruction in Christian houses.

PERSECUTION AS "ALIEN VAGRANTS."

Still more arbitrary and cruel is the manner in which the law is being strained against what are termed "alien vagrants." Foreign Jews, notwithstanding many years' residence in Russia, are now no longer permitted to remain in the country, and, in default of compliance with the order for their expulsion, are treated as vagrants and prosecuted accordingly. But the officials frequently accuse *bonâ fide* Russian-born Jews of being aliens. Two such cases are reported from Letitschew (Podolia). S. C. and T. D., born and bred in this town, the former a most respectable and benevolent man, who had inherited a house and some small means

from his father, the latter a carrier, industrious, honest and highly respected, were both brought before the District Court and subsequently before the Odessa Criminal Court, and declared to be vagrants. They have been already eighteen months in prison, and there they are likely to remain, till they or their relatives can satisfy the authorities that they are Russian-born. This is no easy matter when the accused are men advanced in years. Registration of births was formerly a very lax institution with Russo-Jewish parents; for in the days of the Emperor Nicholas, their children, if registered, were often forcibly taken from their homes in early years for military service, and this involved forcible conversion. In the particular cases referred to above, the names of the accused appear year after year on the town books, paying the Imperial taxes like any other Russian subjects. It seems late in the day to declare them aliens now, and to imprison them as *Brodyags*, "rogues and vagabonds," merely because they are Jews, and can bring no official proof of their place of birth.

Again, T. E., a native of Trostianez (Podolia), an illiterate man, was lately brought before the District Court as a vagrant because he could not prove the place of his birth. He was remanded for seven days to enable him to bring evidence, but failed to produce it. He was sentenced to four years' imprisonment, to be followed by perpetual exile to Siberia. Later on the required evidence was forthcoming, but the court refused to accept it or to review the sentence. The man has a wife and seven children, who are thus deprived of their only support, and are likely to starve.

The manner in which Jews of Bessarabia have been treated is peculiarly instructive in this regard. Part of this province was handed over to Russia by the Treaty of Berlin. Its Jews were regarded by the Roumanians as "foreigners." Russia follows suit, and thus they have no nationality, and are simply at the mercy of the local police, who either prosecute or expel them. Similarly, when Prince Bismarek, a few years ago, expelled all Russian subjects from the Provinces of Prussian Poland, Russia refused to receive the Jews who had ventured beyond her borders, and they were left wit

any nationality or natural domicile in the whole world. It will thus be seen that it is no idle formality on the part of the Russian Government to call its Jews "foreigners." If it had not been for the hospitality of Western Europe, these "aliens," having no land to call their own, would have been driven into the sea.

These examples will suffice to show the attitude taken up by the local officials of Russia when they discern that the Jews have sunk lower in the eyes of the Central Government. The word can easily be passed by word of mouth from headquarters "to make it warm for the Jews," and no new regulations are necessary to carry out such instructions. Yet when any new policy is about to be adopted concerning the Jews, it is to these officials that the Government resorts for information and advice. Sets of leading questions are issued to the local governors, the very tenour of which is sufficient to indicate the tone of reply that is wanted. It was on replies obtained in this way that the May Laws were formulated. Considering that every new regulation against the Jews means so many opportunities for these officials to extort blackmail from the unfortunate Israelites, to ask their opinion on the advisability of imposing new restrictions is equivalent to consulting Reynard on the regulation of the poultry-yard.

Nor are there any adequate means by which the Jews themselves can state their own case in answer to the accusations of their enemies. There are practically no representative bodies that can approach the Government on any question affecting the general body of Russian Israelites. Thus their only hope of getting any redress for their injuries, or any alleviation of their sufferings, is to get the intervention of the outside world in the form of protests in the European press.

ALLEGED FAILINGS OF RUSSIAN JEWS.

From the above recital of the systematic and grinding oppression under which the Russian Jews live, it might be thought that there was some pressing necessity to keep the Jews and Jewish influence outside orthodox Russia. As a

matter of fact, no adequate reason has ever been adduced for retaining this relic of the Middle Ages in nineteenth century Russia. The excuses brought forward are of the flimsiest, and are usually based on prejudice rather than fact. "The Russian Jew will not work with his hands," is often the cry of the official apologists. Russian official statistics however declare that of the 2,404,253 Jews living in the Pale of Settlement in 1888, no less than 293,507 are artisans ("remeslennik"), 12 per cent. of the whole. The proportion of the same class in France is only 10 per cent., and in Prussia 9·1 per cent. We have seen, besides, that a large number of Russo-Jewish artisans live outside the Pale, as they are entitled to do, so that proportionately a far greater number of Russian Jews are handicraftsmen than among the Russians themselves, who are still mainly agriculturists. "Ah! but the Jews will not take to agriculture" is the parrot cry of the Russian Jew-haters, who point to the failure of the Jewish colonies established by Nicholas in the South of Russia. These, however, were hampered by the absurd condition that each plot of land should be owned in perpetuity by two families conjointly, and by the moral, material, and physical difficulties put in the way of the colonists at their first settlement. And as a matter of fact, the colonies, notwithstanding the difficulties with which they have been met, have not been such utter failures as has been represented. A Government inspector reported very favourably upon them as late as 1880, and remarked that he saw no signs of incapacity for an agricultural life among the Jewish colonists. The last decade has seen quite a large number of agricultural colonies established in Palestine and the United States by Russian Jews themselves. The new restrictions against purchasing or even renting land on lease would be by themselves sufficient to keep the Israelites of Russia from devoting themselves to agriculture, for even those who had the privilege of residing in the villages could never be anything better than farm labourers.

It is idle to accuse the whole mass of Russian Jews of usury and exploitation, when at least 80 per cent. of them are so

poor as to be living from hand to mouth, and half of the remainder are artisans. No doubt there are money-lenders among the Russian Jews, as among Russian Christians, who "exploit" the peasantry, but this class is infinitesimal in number, compared with the mass of poverty-stricken and hard-working petty traders and mechanics in the towns. Equally exaggerated is the alleged deleterious influence of the Jewish innkeepers, to whom is attributed the well-known drunken habits of the Russian peasants. But these are equally, if not more, prone to intoxication in the interior of Russia where there are no Jewish publicans. To persecute the Russian Jews because some of their co-religionists supply liquor to the drunken Russian peasants is quite as insensate as would be the persecution of all English retail dealers because certain of them contribute to the drunkenness of England.

An old accusation against the Russian Jews is their evasion of military service. Even if this were true, it would be but natural, when no respect is paid to their religious scruples while they are under arms, and where there is no hope for a Jew to rise out of the ranks. But, as a matter of fact, official statistics, of which we give a summary in the Appendix (pp. 42, 43), conclusively show that the exact reverse is the case.

The only other charge that remains to be considered is that the Jews are the chief source of Nihilism and disaffection. If this were so, it could scarcely be wondered at, considering how little cause the Russian Jews have to desire a continuance of the present *régime*. But they are eminently a loyal and patient people, and would be quite content if they were allowed to earn their living in peace. There were Jews and Jewesses among the Nihilists, it is true, but they had in almost every case ceased to be Jews, and many of them had become, at least nominally, converts of the Orthodox Church. Members of the nobility and even of the clergy were also found among the Nihilists, but this fact has not been brought against those two classes; why should it be brought against the Jews?

But it is unnecessary here in England to argue elaborately

that the ordinary Russian Jews are not fiends in human shape, as their enemies in Russia declare them to be, in excuse for their treating them so inhumanly. We have seen many thousands of them pass through England, and we can still observe some thousands who have remained with us in the large cities. They certainly bring with them some of the insanitary habits that belong to Russians generally, and have been perhaps intensified by being cooped up in the towns of the Pale. But apart from that, and a willingness to slave eighteen hours a day for the barest pittance, there is nothing abominable and atrocious that has been observed in their character and behaviour. And even in the short time many of them have been here, they have shown a capacity for improvement under freer conditions of life that has surprised even their best friends. In particular, the readiness with which their children adapt themselves to English ways of thinking and acting is sufficient to show what good citizens they are capable of becoming, if they are allowed free scope for their abilities. The inquirers into East London poverty, under Mr. Charles Booth, declared that, miserable as is the condition of these Russian Jews when they arrive, they do not form a social danger or menace, owing to their capacity for self-help and mutual aid, and the certainty that they will raise themselves from their depth of poverty and degradation.

TRUE CAUSES OF THE PERSECUTION.

It is indeed this capacity for betterment that is at the root of Russian antipathy to the Hebrews. In the midst of an older economic system of customary prices and long credits they introduce a principle of keen competition that cuts down prices and profits to the advantage of the consumer indeed, but not to the advantage of the commercial classes, who are set against the Jews as rivals who excel them. The same, to a large extent, has occurred in the professions, where the superior energy and persistence of the Hebrew has enabled him to get ahead of his more easy-going *confrères*. There was a general upward movement of the Jewish population under the *régime* of Alexander II., and this has been the head and

front of their offending. It was irritating to the racial and religious arrogance of the Russian *pur sang* to find the despised Hebrew making headway in business and in the professions. "These Jews are daring to excel us pure Russians," M. Pobiedonostzeff is reported to have said, and certainly he has done his best to repress that tendency.

The absurdity of any racial antipathy to the Jews is obvious in an Empire almost as multinational as Austro-Hungary. M. Pobiedonostzeff, to do him justice, has been equally eager in repressing the influence of Poles, Finns, and Germans, but the consistency of his injustice does not make it a whit the less unjust. But against the Jews he has a still further reason for ill-will. Amidst all their misery and oppression, they still cling to their ancient faith, and resist the many temptations held out to them to abandon it. By becoming a convert to the Orthodox Russian Church, a Jew is immediately freed from all the degrading restrictions on his freedom of movement and his choice of a profession. He is likewise helped pecuniarily by an immediate sum down, and until recently by freedom from taxation for five years. If he is married, his conversion procures him a divorcee, though, unless she likewise is converted, his wife may not marry again. By conversion, too, a Jew may escape the consequences of any misdeed against a fellow-Jew, for, to quote the Russian Code, "in actions concerning Jews who have embraced Christianity, Jews may not be admitted as witnesses if an objection is raised against such admission." All that a Jew therefore need do to escape any legal process against him by a brother-Jew, is to be converted, and his victim is powerless. Yet, notwithstanding all these temptations, only thirteen hundred annually, out of the five millions of Russian Jews, are found willing, under the pressure of compulsion, to concede even the nominal abrogation of their faith. M. Pobiedonostzeff doubtless regards this as a further proof of Jewish depravity; but few will be found to agree with him outside the Russian borders. Here again the recent policy of M. Pobiedonostzeff is consistent in antagonism to all unorthodox sects in Russia. Lutherans and Roman Catholics, Raskolniks and Molokhans

suffer the persecution of the Procurator of the Holy Synod and religious Vizier of All the Russias.

The Jews are alone, however, in combining all those qualities against which Russian officialism is at present waging relentless war. They are commercial and urban, while the officials are convinced, and perhaps rightly so, that the present system of autocracy and bureaucracy is only possible while the poor, ignorant and superstitious peasantry are the predominating influence in Russian life. The Jews are not Slavs, and are, *nolens volens*, a standing protest against Panslavism. The Jews are not even Christians, much less orthodox Russian Christians, and thus stand a third time in the way of the claim of Russia for the Russians, *i.e.*, for the orthodox Slavonic and bureaucratic Russians. This is the plea that is at the root of the most recent attempt to crush out Jewish influence in Russia by crushing out the Jews themselves. The root of the whole matter is racial arrogance, a determination not to allow, at any cost, the Jews to show themselves superior, or even equal, to the Russians.

RUSSIAN LOSSES BY PERSECUTIONS.

Against such fanatic intolerance as this, it is, perhaps, idle to point out the harm that will be done to Russian commerce and industry by thus destroying the chief element of progress in them. Russians themselves acknowledge that the remarkable progress of Western Russia of recent years, has been greatly assisted, if not caused, by the commercial ability of the Jews there settled. Already signs are manifest of the injury that has been done in such an industry as that of flour mills, hitherto mainly in the hands of Jewish intermediaries. The recent fair of Nijni-Novgorod was a complete failure owing to the enforced absence of Jewish traders, who had previously been the life of the place. The loss of 270,000 Russian Jews who have emigrated during the past ten years, mainly to America, has rescued from Russia some of the younger and more energetic Jews who might have helped to develop its resources. Their absence is, perhaps, not

regretted by the Russian Jew-haters, who would probably be glad if the whole five millions followed. But such an exodus is impossible: neighbouring States would not allow it, and meanwhile the normal increase of population more than makes up for the loss, replacing sturdy workers by helpless infants.

What good can come to Russia by this denial to one-twentieth of its subjects all the elements of justice? It only serves to make the Jewish question more acute, to bring odium and disgrace on the Russian name. It does not make Russian Jews in any way better from the point of view of the Slavophiles. It only intensifies their faults and their differences from other Russians. The system sends to the outside world a number of the more energetic of the Jews, who cannot be other than ill-wishers to the Government that has driven them forth from hearth and home. And it tends to make those who remain join the mass of disaffected in just those parts of the empire where patriotic feelings should be strongest in the day of conflict with neighbouring enemies. And, worst evil of all, it will create, nay, has already created, a mass of poverty which will soon bring matters to a crisis. Either State aid will be required to prevent utter starvation, or a pestilence will ravage all the towns of Western Russia.

THE REMEDY.

Surely it would be wiser as well as more humane, to grant the Jews of Russia the mere elementary rights of human beings, liberty of movement and freedom in choice of a career. All experience is in favour of such a policy. During the past century all the nations of Western Europe have adopted it, with results which no one but a few fanatics can call other than advantageous to the nations among whom the Jews dwell. It does not befit a great nation like Russia to express fear of the influence of one-twentieth of its population becoming predominant over the remaining nineteen-twentieths. Nor does it beseem a Christian nation like Russia to lag behind her ancient enemy Turkey in this respect. The boon of liberty has been recommended over and over again by Commissions

specially appointed by successive Czars to inquire into the Jewish Question.

There should be no Jewish Question. No excuse has ever been adduced by the officials of Russia, that can justify them in treating the unfortunate Hebrews of Russia as if they are tainted with some moral hydrophobia. The present system of barbarous repression demoralises the whole Russian nation by accustoming them to sights of cruelty and oppression. Russian anti-Jewish riots stand on a lower moral level than even Spanish bull-fights. Further, the system is a perpetual menace to the Jews; they live in continual fear of popular outbreak caused by their being marked out by special legislation from the rest of their fellow-countrymen. In times of national excitement, as in the days immediately succeeding the murder of the late Czar, their own lives and the honour of their women are put in jeopardy. The Russian Government claims obedience, and many onerous sacrifices from its Jewish subjects. What does it offer them in return? Not even safety for themselves or protection for their wives and children. Nay, in the face of recent events can it be said to offer them even the right of earning a living?

There is no means of getting rid of this disgraceful and disastrous state of things but one. Complete emancipation of the Russian Israelites from the degrading restrictions that oppress them in every direction is the only possible solution. The Pale of Settlement must disappear; education must be freely open to the Jews; honourable careers in the professions and public service must be allowed to Russian Jews as to Russian Christians. It is not a privilege they ask for, it is a right, the right of every citizen of a country to be regarded as equal to every other in the eyes of the law.

It is difficult to bring home to Western European minds the misery and degradation caused by this legislative and administrative persecution of the Jews of Russia. The public mind, ever ready to sympathise with individual examples of physical ill-treatment, cannot realise the slow crushing out in a whole community of all manhood, of all hopes of a truly human life. But it is hoped that the above recital of the sad

situation and sadder prospects of the Jews of Russia, will cause Englishmen to give expression to their abhorrence in such a way as to penetrate to the Czar, even through the Department of His Majesty's Journal, which edits all communications from the outer world.

On His Majesty the Czar the hopes of the Russian Jews rest. He can by a stroke of the pen give life to millions of his subjects who can now scarcely be said to live. He has repeatedly and graciously intimated that the interests of his Jewish subjects are as dear to him as those of the most Orthodox Russian. He cannot allow a new class of serfs to be created in his kingdom, and the position of Jews is rapidly becoming worse than that of the serfs, who, at least, had masters that were responsible for them, while Jews are gradually becoming serfs of the Russian police. Alexander II. has the imperishable glory of having been the emancipator of the Russian serfs. Let Alexander III. advance a further step towards Russian liberty, and become the emancipator of the Russian Jews.

NOTE.

ON THE JEWISH POPULATION OF RUSSIA.

Russian statistics are in a very backward state. The results that are reached by the Imperial Statistical Bureau are very incomplete, and are rarely published in such a way as to be checked. This is specially the case with the statistics of Russian Jews, and a good deal of uncertainty exists as to their number, which is variously put down at three and at six millions.

The most recent figures that have been published are contained in a Report made to the Pahlen Commission in 1885, and professed to give the Jewish population of the Pale of Jewish Settlement of 1884. It is very doubtful whether this was the case, and it is more probable that the figures were extracted from the latest census of Russia, that of 1879. The figures are at best only a minimum, and should probably be increased about 30 per cent.

I.—WESTERN RUSSIA.

	Total Population.	Jews.	Percentage.
Grodno ...	... 1,163,525	229,574	19·7
Kovno ...	... 1,419,493	269,399	19·0
Minsk ...	... 1,410,754	283,194	20·1
Mohilev	... 835,244	151,055	18·1
Podolia ...	... 2,239,514	418,858	18·7
Vilna ...	... 1,191,992	175,996	14·8
Vitebsk ...	... 1,037,892	133,785	12·9
Volhynia	... 1,946,438	289,820	14·9

II.—THE UKRAINE (Little Russia).

Kiev ...	... 2,332,421	339,557	14·6
Poltava ...	... 2,399,400	84,041	3·5
Tchernigov ...	... 1,896,450	83,117	4·4
Charkov	... 2,160,203	8,474*	0·4

III.—SOUTH RUSSIA.

Bessarabia	... 1,385,743	267,827	12·1
Cherson	... 1,479,303	140,162	9·5
Ekaterinoslav ...	... 1,459,066	47,304	3·2
Taurida ...	... 898,945	21,197	2·5
Odessa, Kertsch, and Sebastopol	265,813	77,279	29·1
Total	... <hr/> 25,481,896	<hr/> 2,920,639	<hr/> 11·5

To this total of 2,920,639 has to be added (a) the Jews of Poland, reckoned to number 1,078,000, or 14·4 per cent. of the population; (b) the Jews outside the Pale, probably numbering 750,000. This would raise the total number of Jews in the Russian Empire in 1884 (? 1879) to 4,748,640. There can be little doubt, therefore, that they amount to more than five millions at the present time, even though their infant mortality must have been increased by the May Laws, and such large numbers, say 200,000 in the six years, have emigrated.

Some interesting details were given to the Pahlen Commission of the proportion of Jews in the towns of the Pale. In four towns they were over 80 per cent.; in fourteen from 70 to 80 per cent.; in no less than sixty-eight from 50 to 70 per cent.; in twenty-eight they were from 20 to 40 per cent. These 114 towns probably include the whole of the towns and "townlets" within which Jews are now allowed to reside.

* This number must refer to artisans, &c., who have right of residence outside the Pale, as Charkov is not included within it.

THE JEWS IN RUSSIA.

From "The Times," November 5th, 1890.

TO THE EDITOR OF "THE TIMES."

SIR,—Under the light of the most recent intelligence it is now no longer difficult to understand the truth of the Russian assertions of August last, that no new repressive measures against the Jews were intended. Though the draft of the new edict was then not only in existence, but was an open secret, circulated so freely in the Jewish Pale of Settlement that copies found their way to London, Paris, and Vienna, it had not been presented to the Committee of Ministers by its promoter. The Czar's Government was therefore, technically, in a position to deny that any new edict was contemplated. That the promulgation of the new edict had been intended there is no doubt. That at the moment of denial the intention had been abandoned, probably consequent on the cry of horror aroused throughout the civilized world, there can now also be no doubt.

But the sigh of relief that escaped many lips, when the world was told that no new edicts were to be enacted against the Jews of Russia, was scarcely justified by the true state of affairs. The *répertoire* of exceptional and repressive laws against those hapless people was already full enough to enable any amount of persecution. To have issued new edicts against them would have been truly a work of supererogation, while the May Laws of 1882—the hateful work of Ignatieff—were in existence. These, together with the bulky mass of restrictive laws which had been piled one on another during a long succession of years from the days of the Empress Catherine I. were all-sufficient, and with a little ingenuity and enough zeal in their application, the Russian Jews, in their tens and

hundreds of thousands, could be exterminated without the promulgation of any new edict.

And this, in fact, is now being slowly but surely effected. The May Laws of 1882, which all the denials of all the Russian diplomatists cannot blot out from the Statute-book till the Czar, with a stroke of his pen, repeals them, constitute by themselves an instrument of torture and persecution of so odious a character that the ordinary mind fails to grasp their full scope and purport till their practical results are brought to light and their victims stand before us in all their misery. The novelist who depicted a doomed prisoner in a cell with its opposite walls gradually approaching, contracting by slow degrees his breathing space, till they at last immure him in a living tomb, foreshadowed, in fiction and in an individual case, the now imminent fate of countless thousands of human beings in the so-called Pale of Jewish Settlement in Russia. The May Laws of 1882 have been gradually applied, and lately not only with increased severity but in enlarged proportions. Whether the money with which the victims have hitherto been able to bribe the officials and so purchase immunity or evasion has come to an end, or whether the provincial governors, many of whom are humane men and friendly to the Jews, have received orders from headquarters to enforce the law with all possible rigour, the fact remains that the Jews are now being ruthlessly expelled, partly by main force, partly by force of circumstances, from the villages and townlets within the Pale, and are driven into the over-crowded towns, there to swell the volume of chronic poverty and suffering. There they become helpless paupers among the struggling poor, a starving multitude in a hunger-stricken hive. Squeezed within limits too narrow for the old inhabitants, without food or the means of acquiring food, without work or the chance of finding work, their own sad fate is sealed, and before their career is closed they will probably bring pestilence and death to the towns they have unwillingly invaded.

Nor is this the only phase of persecution by which the Israelites of Russia are being slowly done to death. To the

young Jewish student who can live on a crust, semi-starvation is a mere incident of life, and he forgets his hunger if only he can slake his thirst for knowledge. Cramped by the limits of space, deprived of the wealth of earth, he can at least enlarge his intellectual range and store up the wealth of knowledge. But here, too, he is foiled. The gymnasia and Universities are practically closed against him, only a three per cent. proportion of Jews in some, and a five per cent. proportion in others, being permitted. What must this mean to an intellectual race, when in one town alone the Jews number 70 per cent. of the entire population, and when in the whole Pale of Settlement there are only two Universities?

The Jews were reviled by their enemies for following only the paths of commerce, buying and selling, and producing nothing. Thus many abandon commerce, settle in villages and pursue an agricultural life. But the May Laws drive them back into the towns. Exception is made in favour of those settled in the villages before 1882; but again the law declares that even those who have thus settled may not hold the land. They may remain there, but they may not follow the calling that brought them there, and that secured for them the means of living.

The Jews were reviled by their enemies for following only pursuits that brought them monetary wealth. Few Jews in Russia have reached the goal of opulence. Nowhere in the wide world is seen such poverty as pervades the entire Pale of Settlement. But the Jews, scorning the base insinuation that they prize riches above knowledge, claim the higher education, show themselves in the schools worthy of it, and yet the portals of the Universities are closed against them, except within limits wholly disproportionate to their numbers. The few who gain admission achieve the highest triumphs, but find they have been drinking from the cup of Tantalus. The Faculty of Law declares them qualified to be lawyers, but a new regulation forbids them to practise without a Ministerial consent that is now invariably withheld. The Faculty of Medicine declares them qualified to act as Army doctors, but a new law forbids them practising in the Army.

Even the humble post of schoolmaster is no longer open to the Jew, and those on whom long service should have conferred a vested right of employment have been discharged.

It may seem a sorry jest; but the Russian law, in very truth, now declares—the Jew may live here only and shall not live there; if he lives here he must remain here; but wherever he lives he shall not live—he shall not have the means of living. This is the operation of the law as it stands, without any new edict. This is the sentence of death that silently, insidiously, and in the veiled language of obscurely worded laws, has been pronounced against hundreds of thousands of human beings, and the executions are proceeding—not on the scaffold in the sight of gaping multitudes, not in the dungeon by dagger or by bowl, but in the dusky *ghetti* of the Pale, the victims cramped and crushed, starved of air and space and food, with scarcely roof or rags to cover them, kicked and cuffed by officials who scoff at the squalid poverty that officialism has produced, panting for life and light, but with no hope, save of the light and life of another world.

Shall civilized Europe, shall the Christianity of England, behold this slow torture and bloodless massacre and be silent?

Your obedient Servant,

N. S. JOSEPH,

Hon. Secretary to the Russo-Jewish Committee.

A P P E N D I X.

AN
A B R I D G E D S U M M A R Y
OF
L A W S,
SPECIAL AND RESTRICTIVE,

RELATING TO THE
J E W S I N R U S S I A,

B R O U G H T D O W N T O T H E Y E A R

1 8 9 0 .

INDEX TO APPENDIX.

	PAGE
On Religion	41
On Duties towards the State :—	
I.—Military Duties	43
II.—Taxation	45
On the Education of Jewish Youth	46
On Personal Status and Right of Settlement and Movement :—	
I.—Permanent Residence Within the Pale of Jewish Settlement.	48
II.—Permanent Residence Outside the Pale of Jewish Settlement	49
III.—Temporary Residence Within the Pale of Jewish Settlement.	51
IV.—Temporary Residence Outside the Pale of Jewish Settlement.	52
V.—On Passports	54
On the Rights of Property	55
On Agricultural Pursuits and Husbandry	58
On Commercial Rights	59
On the Trade in Intoxicants	62
On Industrial Pursuits	63
On Civil Service	63
On Representation ,	65
On Military Service	66
On Legal Procedure in reference to the Jews	68
On Punishments	69
Regulations as to Foreign Jews	70

A P P E N D I X.

General observation.—It must be remarked that many of the laws here given contradict one another. This fact must not be regarded as involving any inaccuracy in transcription or translation. In Russia, laws are piled on one another without satisfactory consolidation. Hence the contradictions, which, as they exist in the original text, exist also in this Summary.

ON RELIGION.

A married {^{man}_{woman}} who adopts the Orthodox Christian faith must sign a declaration to the effect that {^{he}_{she}} will endeavour to convert {^{his wife}_{her husband}} to the same faith. (§ 81, *vol. X., part 1, issued 1887.*)

Should either a husband or a wife (but not both) adopt Orthodoxy, both are prohibited residence outside the pale of Jewish settlement. (*Ibid. and § 31, Suppl. on Passports, vol. XIV., ed. 1857.*)

If a Jew or Jewess converted to the Christian Orthodox religion does not agree to continue his or her life with the spouse remaining in the Jewish religion, the marriage is dissolved, and the convert can marry a person of the Orthodox religion. (§ 81, *Civil Laws; Code of Laws of the Russian Empire, vol. X., part 1, ed. 1887.*)

Jews on reaching their fourteenth year, may be received in the Orthodox Church without permission of their parents or guardians. (§ 1, *Suppl. to § 78 of the Law on Prevention of Crimes, 1876.*)

The Minister of the Interior may allow Jewish children to be converted to any of the Christian denominations that are tolerated in the Empire, even without the consent of their parents. (§ 3, *Suppl. to § 76, Law regarding the Religious*

Affairs of Foreign Denominations, vol. XI., part 1 (ed. 1857); § 1, note to § 94, Law on Prevention of Crimes, vol. XIV., 1876.)

If either husband or wife adopts Christianity, the children under seven years of age of the same sex as the convert shall also be baptised. (*Ibid., Suppl. to Art. 76, § 6.*)

Every convert to Christianity shall receive a monetary payment of from 15 to 30 roubles, without distinction of sex, and children half that sum. (§ 6, *Suppl. to § 78 (note), Law on Prevention of Crimes, 1876.*)

Rural communities of Jewish agriculturists shall keep apart from settlers belonging to another persuasion. (§ 979, *vol. IX., 1876.*)

For the office of Rabbi, only such persons are eligible who have passed a course of instruction either in the old Rabbinical schools, or in a training college for teachers, or in one of the public higher or middle class educational establishments. No one, except the Rabbis or their assistants, may perform the rites of the Jewish faith. Marriages or divorces not having taken place before a Rabbi or his assistant, will be considered illegal. (*Vol. XI., part 1, Law about the Religious Affairs of Foreign Denominations, §§ 1083 and 1086, and note; § 1135, and note, issued 1886 and 1887.*)

N.B.—Both Rabbinical schools were closed in 1873, *i.e.*, seventeen years ago. Of the two training colleges for teachers, one, namely, that of Zitomir, was closed in 1885. Besides, when these colleges were founded, it was ordained by law, that such pupils as intended to become Rabbis should not be received. As to the public educational establishments, it is well known that there neither the Hebrew language, nor the Hebrew religion is taught, but only such branches of knowledge as have nothing in common with Jewish theology. Consequently, such so-called *Crown Rabbis* must necessarily be elected who receive their education at the higher and middle class public establishments, but who are absolutely unable to perform religious rites, which require theological knowledge. Thus it comes to pass, that the religious requirements of the Jewish communities cannot be provided for in a legal manner.

Synagogues and houses of prayer in the same streets and squares where Orthodox churches exist must be situated at a distance of at least a hundred *sajen* from the latter. (§ 258, *vol. XII., part 1, Law on Buildings.*)

Public prayer and worship may only be held in the Synagogues and houses of prayer. Jews holding divine worship in their houses without permission of the authorities, will be punished by law. (*Note to §§ 1060 and 1061, vol. XI., part 1,*

Law on the Religious Affairs of Foreign Denominations, 1857; § 98, vol. XIV., Law on Prevention of Crimes, 1876.)

The establishment of synagogues is allowed only in places where there are no less than eighty Jewish houses, whereas houses of prayer can be started only in places where there are not less than 30 Jewish houses. (*Vol. XI., Religious Affairs of Foreign Denominations, § 1062; Build. Laws, § 259.*)

N.B.—Thus in places with a smaller Jewish population the Hebrews are prohibited public prayer under pain of criminal prosecution.

Robbery of articles used in public worship, and of effects appertaining to the synagogue, is not considered as sacrilege. (§§ 219-233, *Penal Code, 1885*; § 170, *Law on Punishments by Justices of the Peace.*)

ON DUTIES TOWARDS THE STATE.

I.—MILITARY DUTIES.

A person who is not a Christian, but whose brother has adopted Orthodoxy and lives apart, will not have the right of exemption as the only support of the family. (*Explanation of Sen., 22 Dec., 1877, No. 9532, 1885, and Oct. 17, No. 7274.*)

Those who do not contribute to the support of the family forfeit the right of exemption of the first or second class. But this law does not apply to converts to Christianity. (§ 48, *Law about Military Duty, vol. IV., 1886.*)

The rules laid down in § 51 of the Law on Military Duty, according to which persons called out for service or being already in service can offer as substitute a brother or another relative, do not apply to Jews. (*Law of 31st January, 1889.*)

Jews cannot be elected by their town as members of recruiting committees. (*Imperial Order of May 20, 1874.*)

In the Kingdom of Poland also, Jews cannot be elected members of the recruiting committees. (*Circular of the Minister of the Interior, 1874, May 27, No. 971.*)

No documents of any kind affording the right of carrying on a trade or a profession will be issued to Jews under any condition, except when they have produced evidence that they have been registered in the recruiting districts. (§ 101², *Law on Military Duty, 1886.*)

The removal of the names of Jews to divisions of other districts or governments is only permitted if they have re-

sided in the locality to which they wish to belong not less than two years. (For non-Jews a previous residence of only three months is required). In case of removal to divisions outside the Pale of Settlement, they lose all rights of exemption accruing from certain conditions of family relations. (§ 119¹, *Law on Military Duty*, 1886.)

The military authorities have the right to submit Jews, whose entering the service has been postponed on account of bodily infirmity or insufficiently developed muscular strength, without notice, to a medical examination; such authorities not being obliged to pay any regard to the time prescribed by law for this purpose. (*Note 2 to § 146, Law on Military Duty*, 1886.)

Jews who have adopted Orthodoxy, will, before they have entered the service, and notwithstanding the classification according to denominations, be considered as Jews. But once they have entered the service they will be considered as Christians. (*Explanation of Rules by the Senate*, 1886, February 19, No. 1342.)

Should there be in any district a deficiency in the number of Jews eligible as recruits, either of those not exempt, or of those who on account of family conditions have a right to exemptions of the third or the second class, it is permitted to draft into the army such Jews as enjoy the exemption of the first class. (*Note 2 to § 152, Law on Military Duty*, 1886.)

The family of a Jew who has evaded the fulfilment of his military duties, will have to pay a fine of 300 roubles. The amount of the reward paid to any one arresting a Jew who has evaded his military duties will be fixed by the Minister of the Interior. (§ 360 and note, *Law on Military Duty*, 1886.)

N.B.—The restrictions cited under this heading were called forth by the charge levelled against the Jews, that they tried to evade their military duties. But official data disprove the charge. The proportion of the number of Jews liable to conscription, to the number of non-Jews equally liable, must necessarily equal the proportion of the Jewish male population to the non-Jewish. According to the data produced in the "Journal of Statistics," issued by the Central Statistical Committee, the *male* population of all denominations in European Russia, for a period of twelve years (1875—1886), consisted of an average of 37,918,932, of whom 1,496,076 were Jews, equal to 3·95 per cent. of the entire population. Now, it appears from the printed accounts of the Ministry of the Interior, that during these twelve years, there were called for the purpose of conscription, 8,434,449 non-Jews, or a yearly

average of 702,871, and 416,802 Jews, or a yearly average of 37,233. Thus 5·80 per cent. were Jews. This means a far higher percentage of their number in comparison with their percentage in the general population.

In 1887, according to the reports of the Ministry, printed in the "Government Gazette," there were called out : Non-Jews, 798,992 ; Jews, 42,407, *i.e.*, 5·31 per cent. In 1888 :—Non-Jews, 862,254 ; Jews, 44,918, *i.e.*, 5·20 per cent. Finally, in 1889 :—Non-Jews, 844,019 ; Jews 46,190, or 5·47 per cent.

During the same period of twelve years (1875—1886), there were drafted into the army :—Non-Jews, 2,381,272, or a yearly average of 198,439 ; Jews, 94,535, or a yearly average of 7,878, *i.e.*, 5·97 per cent. In 1887 :—Non-Jews, 234,085 ; Jews, 12,263, or 5·24 per cent. In 1888 :—Non-Jews, 249,087 ; Jews, 13,141, or 5·27 per cent. In 1889 :—Non-Jews, 254,106 ; Jews, 14,552, or 5·72 per cent.

Thus we find that, whereas the fair proportion of Jewish soldiers in the Russian army should be, according to these numbers, 3·95, the actual proportion of Jewish soldiers was largely in excess of the fair percentage; indeed, nearly half as much again as the equitable proportion.

II.—TAXATION.

Over and above the ordinary assessments to which the rural population and the inhabitants of the towns are liable, the Jews have to pay the following special taxes :—

I.—*The "Box Tax,"* which again is subdivided into two classes : (A) *universal* or *general*, (B) *private* or *subsidiary*.

The general tax is levied :

- (1.) On every animal which is slaughtered *kosher*;*
- (2.) On every bird which is slaughtered *kosher*;*
- (3.) On every pound of meat which is sold as *kosher*;*
- (4.) Penalties and fines for evasions of the law on this point are to be utilised for the objects for which the tax was instituted.

The subsidiary tax levied from the Jews consists of :

- (1.) A certain percentage on the rents of the houses, shops, and warehouses of Jews.

* According to Jewish rite, and declared fit for food. The tax is farmed, and adds 2d. or 3d. to the retail price of meat.

- (2.) A certain percentage on the profits of factories, breweries, industrial establishments, and other trade enterprises carried on by Jews.
- (3.) A certain percentage on the capital bequeathed by Jews.
- (4.) A tax on apparel specially worn by Jews and Jewesses. For the wearing of a skull cap (used by Jews during domestic prayers), a tax of five silver roubles a year is levied. (§§ 1, 5, 8, 10, note to § 281, *Law on Taxes, vol. V.*, 1857.)

II.—*Candle Tax* (on Sabbath lights*), amounting to 230,000 roubles a year. (*Ibid.*, §§ 9 and 67.)

III.—*Tax on Printing Offices*, amounting to 20 roubles for every printing press worked by hand, 120 roubles for every small machine press, and 200 roubles for every large or double machine press. (*Note to § 158, vol. XIV., Law on Censure*, 1886.)

N.B.—The Box Tax and the Candle Tax, as also the tax levied for the support of educational establishments, and the income of the Günzburg endowment, for giving subsidies to Jewish agriculturists, are not entered in the financial budget of the Ministry. (*Suppl. to § 221, part 2; note 2, §§ 1 and 3, vol. I., part 2, Law on the Cabinet.*)

The exemption from the Box Tax of those engaged in agriculture is abolished. (*Note 2 to § 1, Suppl. to § 281, Tax Law, vol. V., 1857.*)

ON THE EDUCATION OF JEWISH YOUTH.

Jewish children are admitted only in the public and private educational establishments of places in which their parents have a right of residence. (§ 966, *vol. IX., Circular of 1876; Circular of the Minister of Public Education, 1884, July 15, No. 9846.*)

The issue of subsidies formerly granted to Jewish boys and girls receiving their education in the public educational establishments superintended by the Ministry of Public Education from the sums set aside for the education of the Jews,

* It is the religious duty of every Jewish housewife to light at least two candles on the eve of the Sabbath and festivals, and this custom is most rigorously carried out.

and amounting to 24,000 roubles annually, is abolished. (1875, July 25 (54,934A); *Imperial assent to the Budget of the Committee of Ministers.*)

In accordance with § 967 of the same volume, Jews who have passed a public middle-class school are allowed to enter universities, academies and other higher educational establishments without restriction. In 1880 the authorities commenced to restrict the number of Jews so entering. In 1882 the number of Jewish students in the Military Academy for Medicine was limited to 5 per cent. At present no Jews at all are admitted at this academy. In 1883 the number of Jewish students in the Mining Institute was also limited to 5 per cent. About the same time their number was also limited in the Engineering Institute for Public Roads. In 1885 the Jews at the Technical Institute at Charkoff were limited to 10 per cent. In 1886 a prohibition was issued against the admission of any Jews at all at the Veterinary Institute at Charkoff. In 1887 the number of Jews to be admitted at the Institute of Civil Engineers was fixed at 3 per cent. *And finally, in accordance with the proposals of the Committee of Ministers, which received the Imperial assent on December 5th, 1886, and June 26th, 1887, the Ministry of Public Education obtained the right of restricting the number of Jewish pupils in the educational establishments generally. The Ministry thereupon limited, in all schools and universities, the number of Jews residing in places within the pale of Jewish settlement to 10 per cent., in places outside that pale to 5 per cent., but in St. Petersburg and Moscow to 3 per cent. of the total number of pupils in each school or university. This without regard to the proportion of Jews to the general population in any one place.**

Since 1885 Jews are not allowed to hold university scholarships derived from the Public Treasury, and can only enjoy scholarships derived from private endowments.

The proceeds of the Candle Tax is to be applied to the building of Jewish schools.† (§ 9, note to § 281, *Tax Law*, vol. V., 1857; § 1067, *Law on the Religious Affairs of Foreign Denominations*, vol. XI., part 1, 1857.)

N.B.—The Rabbinical Schools of Wilna and Zitomir have been converted into training colleges for teachers. The Jewish State Schools for secondary education have been closed by

* In some places the Jewish population is 80 per cent. of the entire population.

† As a matter of fact the money is frequently used for other purposes unconnected with educational or other wants of Jews.

Imperial order. Those for elementary education have been preserved only in those places where the number of public schools proved insufficient on account of the large population of Jews. The training college of Zitomir has been closed by order. (*Note to §1083, Law on the Religious Affairs of Foreign Denominations, vol. XI., part 1, 1857; Imperial assent to the Report of the Ministry of National Education, 28th November, 1885.*)

ON PERSONAL STATUS AND RIGHT OF SETTLEMENT AND MOVEMENT.

The Jews are declared to be Aliens, whose social rights are regulated by special ordinances. (*Note 7, § 835, vol. IX., 1876.*)

I.—PERMANENT RESIDENCE WITHIN THE PALE OF JEWISH SETTLEMENT.

In the whole Russian Empire (exclusive of the kingdom of Poland) the Jews are prohibited from permanently residing or settling anywhere, except in the following fifteen gubernia:—Bessarabia, Vilna, Vitebsk, Volhynia, Grodno, Ekaterinoslav, Kovno, Minsk, Mohilev, Podolia, Poltava, Taurida (except Sebastopol), Cherson (except Nicolaiev), and Tshernigov, also in the gubernium of Kiev, exclusive of the city of Kiev. These gubernia are, therefore, called the Pale of permanent Jewish Settlement. (*§ 16 of the Law of Passports, vol. XIV., 1886.*)

Jews who are merchants of the first guild* may live in the city of Kiev, but only in the Libedsky and Plossky districts of the town. (*Ibid., § 17, vol. IV.*)

In the towns Nicolaiev and Sebastopol the right of settlement, of carrying on a trade or the business of contractor, or of obtaining house or landed property, is granted only to Jewish merchants of either guild. (*Law on Passports, Art. 16.*)

Jews are prohibited from residing permanently in the western gubernia situated next the frontier, and also in Bessarabia within 50 versts† of the frontier. From this rule are excepted those Jews who were registered in these

* The monetary qualification for this guild is payment of taxes of not less than 1000 roubles per annum—of course, a very exceptional condition.

† About 33 English miles.

localities before 27th October, 1858, or who possessed before 27th October, 1858, house and landed property in these localities, although they did not belong to such communities. (*Ibid.*, § 23.)

Jews in the Pale of Permanent Settlement are forbidden to take up new residence outside the towns and townlets, the only exception being in the case of settlers in Jewish agricultural colonies established before 1882. The removal of Jews from the settlements where they had resided before 3rd May, 1882, to other settlements is unconditionally prohibited. (Vol. IX., Law upon Status, § 959, note 4, 1886, and note 5, 1889.)

N.B.—This is one of the principal May laws, of 1882, which has caused so large an influx into the towns. Jews are thereby also, under a recent legal decision, prohibited from removing from one village to another.

II.—PERMANENT RESIDENCE OUTSIDE THE PALE OF JEWISH SETTLEMENT.

Outside the above mentioned fifteen gubernia only those Jews are permitted to reside who can be classed under the following categories:—

- (1.) Merchants of the first guild, both of the Russian Empire and of the Kingdom of Poland, who have satisfied the special conditions established by law.
- (2.) Jews who have a diploma of docto[r] of medicine and surgery, or of doctor of medicine; or who have a diploma of doctor or master of one of the other faculties of the University.
- (3.) Jews who have discharged their military duties in accordance with the recruiting law and belong to the reserve; also those soldiers and non-commis-sioned officers who have unlimited furlough.*
- (4.) Jews who have passed the higher educational estab-lishments, inclusive of those for the study of medicine.
- (5.) Graduates in pharmacy, dentists and surgeons, also midwives.
- (6.) Jews who are studying pharmaeuy, surgery, and midwifery.

(*Vol. XIV., Law on Passports, § 17.*)

* This privilege has now been lost by the Jews.

In the gubernium of Courland, as also in Shlok (Livonia), only those Jews may reside permanently who were registered there according to the revision before 13th April, 1835. Of the Jews settled in Shlok, only those shall be allowed permanently to reside in Riga who had settled there before 17th December, 1841. The settlement of Jews in Riga, whether from other gubernia or from Shlok, is prohibited. (*Vol. XIV. Law on Passports*, § 17.)

Jews from Bokhara and Khiva, as also Jews of other Central-Asiatic dominions, may become Russian subjects and be registered in the frontier towns of the districts of Orenburg and Turkestan; but only on condition that they belong to a merchant guild, and that the rights of other Russian Jews be granted them. (*Vol. IX., § 992, note, 1886*; *vol. XIV. Law on Passports*, § 17.)

In the military territory of the Don, and in the old districts of Rostov and of Taganrog, at present incorporated in the Don territory, the settlement of Jews is prohibited.* (*Law on Passports*, § 17.)

In the government of Stavropol and in the trans-Caucasian territory, only those Jews are allowed to remain who lived there before 12th May, 1837, and formed settlements of their own. (§ 27, *Law on Passports*, *vol. XIV.*, 1857.)

Jews are not permitted to enter, or to settle in, Siberia. (*Ibid.*, § 30, 1887.)

The settling of Jews in Siberia for the purpose of following agricultural pursuits is prohibited. (§ 978, *vol. IX.*, 1876.)

Wives of Jews who have been exiled to Siberia are permitted to follow their husbands. But the husbands of Jewesses exiled to Siberia may not follow their wives. (*Note 1 to § 40, Law on Deportation*, *vol. XIV.*, 1857.)

Jewish exiles in Siberia are prohibited residence within a hundred versts from the Chinese frontier, and, in general, from the frontier of all tribes not under the dominion of Russia. (*Ibid. note to § 363*, 1886.)

Outside the places of permanent Jewish settlement Jews may adopt as children, in accordance with the general laws, only such of their co-religionists as have themselves a right to

This includes a district of great importance, hitherto largely populated by Jews engaged in commerce, who had been always allowed to settle there, being part of Ekaterinoslav gubernium, and thus in the Pale of Settlement, but detached therefrom on 19th May, 1887.

reside in all places of the Empire. (*Collection of Laws*, 1889, No. 35, § 298.)

Jews are not permitted to dwell in the Grand Duchy of Finland.

N.B.—No such law exists among the laws of Old Finland, which were accepted by the Imperial Government on annexation, nor in the "Collection of Laws of the Grand Duchy of Finland," issued annually by official order from 1827 to 1890.

III.—TEMPORARY RESIDENCE WITHIN THE PALE OF JEWISH SETTLEMENT.

Only temporary residence of Jews in the cities of Kiev and Sebastopol is permitted, and only for the following purposes:—

- (1.) In order to take possession of an inheritance.
- (2.) In order to establish legal claims on property in courts of justice and in government offices.
- (3.) For business transactions or anything connected with government contracts; but only if such transactions take place in towns where Jews may permanently dwell.

Besides in the above-mentioned cases of residence, the Jews are permitted to enter the city of Kiev only under the following circumstances:—

- (a.) For military duty.
- (b.) For business during the fair.
- (c.) For importing and selling articles of food in the markets and in the harbour.
- (d.) For transporting passengers and forwarding goods.
- (e.) For purchasing materials.
- (f.) For delivering the products of their own handicraft.
- (g.) For using the mineral waters or for attending the hospitals.
- (h.) For attending the educational establishments.
- (i.) For learning a handicraft.

Whenever a Jewish visitor of any of the above denominations is obliged to remain in Kiev more than twenty-four hours, the police may give a printed license, on which a special entry must be made in case the time is extended.

Such extension of time is limited thus: by the expiration of the time of military duty; by the termination of the fair; by the market days. For carmen, for the purchase of materials, and for the settlement of accounts for work, by a fortnight.

For invalids, by the completion of the course of mineral waters or hospital attendance. For students, by the termination of the course of study. For apprentices, by the termination of the time fixed for the learning of a handicraft ; and for those who arrive upon other business, by a maximum of six weeks. Those Jews who are temporarily in Kiev, being neither patients drinking the waters, nor being the wives or children of soldiers on active service, nor persons learning a handicraft, are only permitted a temporary residence in the Libedsky and Plossky districts of the town.

Jews from other towns who possess factories, or are merchants of one of the two guilds, are permitted to enter Sebastopol only—

For the purpose of doing business at the fairs, or, if they are contractors, for the supply of the government with goods for that town; but for the sake of carrying on such business they are not permitted to employ Jews except those who are their servants or clerks. Jews living in the neighbourhood of Sebastopol, and in other towns of the pale of Jewish settlement, are permitted to enter Sebastopol only for business on the established market days. Young Jews may only come to Sebastopol for the sake of learning a handicraft. (§ 284, *Law on Passports*, vol. XIV., 1886.)

In the gubernia of Vitebsk and Mohilev, Jews are only permitted to reside in villages by special license, but they may not settle as ordinary inhabitants. (*Ibid.*, § 16.)

In the gubernia of Vitebsk and Mohilev, Jews are allowed to work in the making of roads in the settlements, but only on condition that, as soon as their work is completed, they have no longer a right to reside there. The same conditions must be observed in Courland in respect of Jews from the gubernium of Kovno, engaged in similar work. (*Ibid.*, §§ 20, 21, 1857.)

IV.—TEMPORARY RESIDENCE OUTSIDE THE PALE OF JEWISH SETTLEMENT.

Temporary residence outside the pale of Jewish settlement is permitted to the Jews only under the following circumstances :—

- (1.) For the purpose of taking possession of an inheritance.
- (2.) For the purpose of establishing legal claims on property in courts of justice and in government offices.

(3.) For business transactions, and for everything connected with government contracts; but only if such contracts take place in towns where Jews may permanently dwell. In all such cases the police are authorised to permit the Jews to remain, but for no longer than six weeks. The authorities of such gubernia cannot prolong their stay beyond two months, unless they have obtained permission from the higher authorities. (§ 283, *Law on Passports*, vol. XIV., 1886.)

Jewish mechanics, distillers, and brewers, and generally master artisans and their journeymen, may reside outside the Pale of Jewish Settlement, but, in order to obtain their passport (which is to be renewed periodically) they must produce a certificate of their calling in accordance with the rules established by law for that purpose. Young Jews under eighteen years of age are permitted to live in places outside the Pale of Jewish Settlement, for the purpose of learning a handicraft, but only for a period of not more than five years. (*Ibid.*, note 3 to § 283.)

Jewish cutters and tailors may live in places where regiments are located, or where military training colleges exist, but only until the term of their contract with the military authorities has expired. (*Ibid.*, § 19, 1857.)

Jewish artisans may reside—in the fortress towns on the eastern shore of the Black Sea, and in the towns of Temruk and Suchum-Kale; also on the north-western shore of the Caspian Sea; and in the town of Petrofsk; but only temporarily, and in such manner that the field of their trade activity does not extend beyond the boundaries of these towns. (*Ibid.*, § 28, 1886.)

Jewish carmen, who have brought goods to places outside the pale of Jewish settlement, are not permitted to remain in such places longer than a fortnight. (*Ibid.*, § 285, 1857.)

Jewish merchants of the first guild, not yet qualified to settle outside the Pale, are permitted to come personally, or to send their accredited agents, to the capitals and other towns for the purpose of purchasing goods; they may do so twice a year, on condition, however, that their total stay do not exceed six months of the year. Such merchants may visit the fairs at Nijni-Novgorod, Iribit, Charkov, and Summi, both for buying and for selling wholesale.

Jewish merchants of the second guild are permitted to come personally, or to send their accredited agents, to the capitals

and other towns, for the purpose of purchasing goods, only once a year for two months.

Merchants of both guilds are permitted to visit the Christmas and summer fairs in Kiev, and carry on business there, both wholesale and retail, whether in Russian or foreign commodities. Their stay must terminate with the termination of the fair.

Jews of the gubernia of the Kingdom of Poland may as a rule visit the gubernia within the Pale of Jewish Settlement; but only guild merchants may visit the other gubernia of the empire and they only once a year, and then only for two months, for the purpose of doing business, of contracting with the Government for the supply of goods, but only for such places where Jews may permanently reside; and on condition, that, in case such transactions take place in the interior provinces of the empire, and are being managed by themselves, no Jews be employed by them. (*Ibid.*, § 289, 1886.)

Jewish tradesmen who are settlers of old standing in the trans-Caucasian territory may visit Astrachan to sell "Marena" dye, but only twice a year, and only for an aggregate of six months in any one year. (*Ibid.*, § 290, 1857.)

V.—ON PASSPORTS.

Jews within the Pale of Jewish Settlement are only permitted to dwell outside the towns in which they have been registered according to the revision, if provided with passports. (§ 18, *Law on Passports*, vol. XIV., 1857.)

Jews can obtain licenses for travelling only into those gubernia where Jews have the right of permanent settlement. (*Ibid.*, § 121.)

Travelling within the pale of Jewish settlement is permitted to Jews, provided they have a passport in which it is observed that such passport is only valid in places set aside for their permanent residence: and in the certificates issued to merchants it is indispensable that the religious persuasion of their holders be mentioned. (*Ibid.*, § 286, 1889; *Circular of the Minister of the Interior*, 1878, June 24, No. 73.)

Immediately on the arrival of Jews in the capitals, the police are required to examine their passports and to inquire into their right of visiting such capital. Those who have no right to visit the capitals are to be immediately sent back to their places of residence. (*Ibid.*, § 294, 1857.)

N.B.—The laws laid down under the preceding five chapters deprive five millions of Jews of one of the most essential

personal rights, enjoyed not only by all Russian subjects, Christian, Mahommedan or Heathen, without distinction, but also by foreigners, namely, the right of residing anywhere, and of free movement throughout the Empire. At the present time the whole mass of Russian Jews, with only a few exceptions, are caged and crowded in the narrow confines of the territory which is called "the Pale of Jewish Settlement"; and even there exclusively in towns. In all civilised States the right of settlement in any place is recognised to be one of the most essential and natural laws of every subject. In time of peace, foreigners even enjoy that right. The deprivation of such a right is regarded, even by the Russian legislation (§§ 30-32, 48, 49, 51 of the Law of Punishment, 1885), as a punishment inflicted for various criminal offences, and then only for a period fixed by sentence in a court of justice.

ON THE RIGHTS OF PROPERTY.

ON THE ACQUISITION OF PROPERTY; ON THE MORTGAGING AND LEASING OF THE SAME; AND ON FARMS AND THEIR MANAGEMENT.

Landed estates, including also land which has been apportioned to peasants for their permanent use, cannot be sold to Jews. (*Vol. IX., Law on Status, Suppl. I.* to § 330 (note); § 3, 1887.)

Land, and other appurtenances belonging to an estate, and which are not part of allotments made to peasants on their emancipation, may not be sold to Jews. (*Ibid.*, § 4; *Suppl. ibid.*)

Estates in the Western and Baltic provinces, formerly belonging to the Jesuits, and which have to be sold by auction to satisfy the debts of their owners, cannot be bought by Jews. (*Vol. VIII., Law on the Administration of Crown Property in the Western and Baltic Governments; Suppl.* to § 1 (note 1), § 7.)

Jews are not admitted to the public auctions of Crown lands. (*Ibid., Suppl.* to § 2 (note 2), § 6.)

Jews are not admitted to attend the public auctions of property mortgaged to banks, and forfeited for non-payment. (*Vol. XIII., Law of Common Aid, Suppl.* to § 165 (note 2), § 3, 1857.)

Jews are not admitted to public auctions of allotments of land forfeited by peasants who have made default in payment

of serfdom commutation tax, or State land-tribute, or, in Bessarabia, their land-rate. (*Rules about the Peasantry, Special Suppl. to vol. IX.; Rules on Distress, §§ 135-138; Rules on Peasants belonging to the State, Suppl. to § 15 (note 1), § 7; Rules about the "Tsarani" [peasants in Bessarabia], § 95; § 5.*)

All Jews, without exception, are prohibited from purchasing landed property from landowners or peasants in the nine Western gubernia. (*Note 3 to § 959, vol. IX., Law on Status, 1886.*)

N.B.—The meaning of the foregoing seven laws is that Jews are not allowed to purchase landed estate anywhere.

Throughout the Pale of Jewish Settlement the completion of conveyances of purchase of landed or house property and mortgages in the name of Jews is suspended, as also the registration of Jews as lessees of landed estate, situated outside the precincts of towns and townlets, and also the issue of powers of attorney enabling Jews to act as agents for the managing and disposing of such property.* (*Ibid., § 2: note 4 to § 959.*)

No Jews, even those who are merchants of the first guild, may purchase landed or house property in any part of the town of Kiev. Only those merchants of the first guild are excepted who, before being registered as merchants at Kiev, have been during five years merchants of the first guild in one of the towns within the pale of Jewish settlement. (*Resolution of the General Meeting of the Department of Cassation and of the First and the Second Department of the Imperial Senate, 3rd Nov., 1886.*)

Jews possessing a diploma of doctor of medicine and of surgery, or who have a diploma of doctor, master, or ordinary first class diploma in one of the other faculties of the University, do not transfer to their wives or their children their right of acquiring house property outside the Pale of Jewish Settlement. (*Resolution of the General Meeting of the First Department and the Department of Cassation of the Imperial Senate, 1889, No. 25.*)

With the exception of those who have a scientific University degree, all Jews are prohibited from obtaining, or renting, or farming landed property in the military territory of the Don, as also in the districts formerly belonging to Rostov and to the city of Taganrog, but at present included in the Don territory.

* This is one of the "May Laws" of 1882, and it practically annuls all the limited powers of acquisition of landed and house property conferred by the other laws except only in *towns* within the Pale.

(*Vol. XIV., Law on Passports*, § 17; *vol. VIII.*, 1886, and note to that section, 1887.)

Jews are prohibited from obtaining landed property of any kind in any part of the Baltic Governments. (1869, 30 May (47152); *Imperial Ukase promulgated by the Senate of the Ministry of the Interior*; 1866, 18 Feb. (43031), *Imperial assent to Law of the Baltic Committee*.)

In the Baltic provinces Jews cannot lend money on the security of house or landed property of any kind, either in the country or in the towns. (*Collection of Local Laws of the Baltic Governments*, part III., book II., §§ 1504, 1512, 1864.)

The acquisition of land or house property in Turkestan is prohibited to Jews not domiciled there. Jews born in the countries of Central Asia which are situated in the vicinity of Turkestan, are subject to the common law relating to foreign Jews. (*Vol. IX., Law on Status*, § 1003, note 3, 1887; *Collection of Laws*, 1889, No. 76, § 666.)

Land and house property which has been obtained by Jews by inheritance outside those places where they are permitted to possess such property, must be sold by them in the course of six months. (*Ibid.*, § 960, 1886.)

The Jews are prohibited from renting mills and factories from the Crown in places where they are not allowed to reside. They are also prohibited from retailing intoxicating liquors on Crown lands even in places where they are allowed permanently to reside (*i.e.*, in the Pale of Settlement). (*Vol. VIII., part I., Law on Crown Rents*, § 22, 1876, and note to the same, 1886.)

The leaseholder of an estate belonging to the Crown, and situated in the Western and Baltic Governments, may not sub-let a country-inn to a Jew. (*Ibid., Law on Crown Property in the Western and Baltic Governments*, § 35, 1876.)

Persons who have received temporary grants of Crown revenues in the Western and Baltic Governments according to the privileges of 1775, and by Imperial Ukases, are prohibited from assigning their interests therein to Jews. (*Vol. VIII., part I., Law on Crown Property in the Western and Baltic Governments*; *Suppl. to § 2 (note 3)*, § 18.)

Jews are prohibited from being managers or stewards of inhabited estates, and from farming from the landowners the incomes they derive from the peasants. (*Vol. IX.*, § 961, 1886.)

In Courland, Jews may not farm the rents due by the

peasants to the landowners. They are also prohibited from renting inns and public-houses in townlets and villages. (*Collection of Local Laws of the Baltic Governments, part I.*, § 1401, No. 3, p. III., § 4041.)

In places where Jews may not permanently reside, they may not be admitted to the public auctions where chattels belonging to the Crown are being sold. (Vol. X., § 1500, 1887.)

N.B.—Under the laws cited in the preceding heading, the Jews, with a few exceptions, are deprived of every right to acquire or hold house or landed estate outside the towns within the pale of settlement. And besides these enactments, the code of laws contains old regulations which *do* allow Jews to acquire or hold such property, to rent land, farm rents, and like obligations appertaining to land, to possess distilleries, to rent or to manage mills and factories. (Vol. IX., *Law or Status*, §§ 959, 961, and *Suppl.* 963.) These regulations have not been repealed, and remain on the statute books, and serve only to gloss over the Jewish disabilities. As a matter of fact, they have been rendered absolutely nugatory by the May Laws, being practically and legally repealed by them.

ON AGRICULTURAL PURSUITS AND HUSBANDRY..

The application of a part of the income derived from the Box Tax to the training of Jews as agriculturists is abolished.

The Jewish Colonisation fund, which was kept on deposit at the State Treasury by the Minister of Crown Lands, and at the Odessa Treasury by the Cherson-Bessarabia Superintendent of Crown Lands, has been transferred to the funds of the Imperial Treasury.

Jews are prohibited from settling in Siberia for the purpose of becoming agriculturists. (Vol. II., part 2, *Position of Aliens*, § 833, note; 1886, note 2 to § 1; *Suppl.* to § 281; *Law on Taxes*, vol. V., 1857; *Collection of Regulations*, 1887, No. 62, § 553, vol. IX.; *Law on Status*, § 978.)

Acquisition or renting of rural property of any kind, as well as the settlement outside of towns, being prohibited to Jews, agricultural pursuits are rendered impossible to them. As an exception to the rule, some agricultural colonies which were established in certain places chosen by the Government in the reigns of Alexander I. and Nicholas still exist, but no new colonies are permitted to be established.

ON COMMERCIAL RIGHTS.

Trading in the gubernia outside the Pale of Settlement without restriction is allowed only to Jews who have acquired the position of a merchant of the first guild while within the fifteen gubernia of the Pale.

In order to become a merchant of the first guild in the above gubernia, a Jew must have been previously a merchant of the first guild in the Pale of Settlement for five years.

The Jew who has become a merchant of the first guild and settles outside the Pale of Settlement, forfeits his rights, and is obliged to return into the Pale, if he cease to pay the fees of the first guild, unless he has paid the fees for at least ten years. (*Vol. XIV., Statute on Passports*, § 17; 1, *contin.* 1886.)

Jewish merchants of the first guild, belonging to the Pale of Settlement, are allowed to visit the capitals and the other towns outside the Pale, for purchasing goods, only twice a year, and provided that both visits should not together exceed six months. (*Vol. XIV., Statute on Passports*, § 283; 2, *contin.* 1886.)

In Siberia merchant licences are given only to the following categories of Jews:—(1) To the children of Jewish convicts who came there with their parents or who were born there; (2) to Jewish convicts who have been condemned to deportation without loss of civil rights. (*Vol. IX., Suppl. to the § 974 (note)*, 3, *contin. ed.* 1887.)

N.B.—It follows, therefore, that Jewish criminals and their sons are the only Jews who can obtain a licence to trade in Siberia, certain parts of which are extremely prosperous and full of natural resources.

Jews of the Western gubernia, not belonging to any guild, may not take any Government contract or farm royalties, nor may they sell wholesale by powers of attorney anything belonging to a member of the nobility, nor carry on business within the Empire and beyond the frontier, even if it be only to forward and to sell actual land produce. (*Vol. IX., Law on Status, Suppl. to § 974; (note 2)*, § 7, 1887.)

Jewish merchants of the first guild, in the Pale of Settlement, may receive goods directly from the capitals and from the ports, but only wholesale, and only through firms residing at those places, or by means of correspondence with the manufacturers. Jewish merchants of the first guild are prohibited from employing Jews in the management or superintendence of contracts concluded by them in the interior provinces.

The sale of products of gubernia within the Pale of Jewish Settlement, may be effected by Jewish merchants of the Pale of the first guild, in the capitals and ports, but only wholesale, and with the help of Christian *employés*, or local merchants, or by mercantile firms, or by means of correspondence with the manufacturers. But such Jews are forbidden personally to sell goods in the capitals and ports, or to open shops at these places, under pain of immediate expulsion and confiscation of their goods.

Within the Pale of Jewish Settlement, Jewish merchants of the first guild may, by order of Christians residing in other gubernia, clear goods from the custom-house which their owners would be entitled to receive through the custom-houses situated in the Pale.

Such Jews are however prohibited from selling their own goods which they have to receive and which have to pass through the same custom-houses, outside the Pale of Jewish Settlement, even though they employ Christians for the purpose.

Jewish merchants of the first guild, belonging to the Pale, may sell foreign goods at the fairs of Charkov, and Summi, but only wholesale. At other fairs they may not sell foreign goods, whether on their own account or as consignees. (*Ibid.*, § 2.)

Foreign goods, which require to be sealed by the Custom House officers may not be brought to the fairs by Jewish manufacturers, viz., neither to Nijni-Novgorod, Irbit, Charkov, nor Summi; although such goods may have undergone a certain manufacturing process at their factories, e.g., by dyeing, etc. (*Ibid.*, § 3.)

Jews visiting places where they are only allowed to reside temporarily for business transactions, may not during their visit sell goods in a house or by hawking them in the street, and any infraction will be punished by law. (*Ibid.*, § 5.)

Jews are prohibited from acting as commission agents of any foreign firm for sending goods from the Custom Houses at the frontier to places where Jews may not permanently reside. (*Ibid.*, § 6.)

The Custom House officers may not accept a declaration from Jews, or from their agents or *employés*, nor may they issue a licence for the passing of goods belonging to Jews destined for the Custom Houses of gubernia outside the Pale of Settlement. (*Vol. VI., Law of the Customs*, § 954, 1886.)

Every one may keep his books in whatever language he likes, except the Jews. They are obliged to use either Russian, or the language in business use at the place where they live, but in no case Hebrew. (*Vol. IX., Law on Status*, § 955; *Vol. XI., part 2, Commercial Law*, § 610, 1887.)

Jews cannot act as agents for contractors for delivery and supply of goods in any place where they themselves have no right to be contractors for the delivery and supply of goods. (*Vol. X., Civil Law on Delivery and Supply for the Crown*, § 7, note.)

In places of permanent Jewish settlement, Jews are prohibited from carrying on business on Sundays and on the principal Christian holidays. (*Vol. IX.*, § 959, notes 4 and 3; *Vol. XIV., On Prevention of Crimes*, § 16, note.)

N.B.—One of the May Laws. This is a great hardship in those towns where the Jews form the great bulk of the population. In many towns, Sunday is the legal and customary market-day. There is no restriction to the Sunday trading of Mahomedans and other non-Christians.

Jewish merchants of the first guild, who, observing the conditions established by law, settle in places outside the pale of Jewish settlement, may take with them Jewish clerks and domestic servants, that is to say, in both the capitals as many as the local governor and the governor-general will allow; in the other cities of the Empire not more than one Jewish clerk or *employé*, and not more than four servants for every family. (*Vol. XIV., Law on Passports*, Art. 17, § 1, 1886.)

Jews who hold a University diploma of a scientific degree, and who enjoy by law the right of residing in any place in the Empire, may (for the purpose of carrying on business and industrial pursuits), during the time of their residence outside the Pale of Jewish Settlement, have with them, besides the members of their families, domestic servants from among their co-religionists, but not more than two. Such of them as become merchants of the second guild, may, besides, have a clerk or *employé* of their own faith. (*Ibid.*, § 2.)

Shares in the company of the "Upper and Middle Market Rows," in the Krassnoi Square in Moscow, may not be transferred to Jews, even if they become converts to Orthodoxy, because only persons *born Christian* are allowed to obtain such shares. (*Collection of Regulations*, 1890, No. 82, § 817, 818.)

Jews may not possess shares in the joint-stock company for the manufacture of sugar *Kordlejka*, in the district Vinitza,

in the government Podolia ; they may not be members of the board of that company, nor be appointed to the office of manager or trustee. (*Collection of Regulations*, 1890, No. 89, § 889; § 9, note; § 23, notes 1 and 2.)

ON THE TRADE IN INTOXICANTS.

Jews may deal in intoxicants only in places where they are allowed to reside permanently, but not otherwise than in their own houses. Jewish potmen may be employed, but only in public-houses belonging to Jews. (*Law on the Tax on Spirits*, 1887, § 366.)

Outside the boundary of towns and townlets, Jews may carry on business in spirits, but only in houses which are their own property, built on ground belonging to them, and acquired by them before 3rd May, 1882. But Jews may not deal in spirits in houses and on ground belonging to them only for life, or of which they have only a lease. (*Ibid.*, § 363, note 3.)

The brewing of beer and mead for their own domestic use is permitted in such Jewish settlements as contain not fewer than ten houses. (*Ibid.*, § 108, note 1.)

Retired soldiers and non-commissioned officers of the Jewish faith, settled in places outside the Pale of Jewish Settlement, in accordance with the old privilege, shall not enjoy the right to deal in spirits in such places. (*Ibid.*, § 363, note 1.)

In the gubernia of the Kingdom of Poland, Jews are permitted to retail spirits, but only in towns and townlets; and in such villages as are inhabited by Jews only. (*Ibid.*, § 363, note 2.)

Jews who have the right to reside permanently in Siberia may not carry on business there in intoxicants. (*Ibid.*, § 363, note 4.)

Jews who have removed to Turkestan from the interior gubernia of the Empire, are prohibited from manufacturing and dealing in intoxicants in Turkestan. (*Ibid.*, § 102, note 2; § 363, note 5, 1889.)

The clauses of the law forbidding the opening of establishments for retailing beer and spirits in the vicinity of churches, houses of prayer, mosques, &c., &c., do not apply to the vicinity of Jewish synagogues and houses of prayer. (*Ibid.*, §§ 414, 498 and 499.)

ON INDUSTRIAL PURSUITS.

Jews are not permitted to occupy themselves in gold mining in places where they are prohibited to reside permanently. (*Vol. VII, Law on Private Gold Mining*, § 30, note 1.)

Jews not being allowed to occupy themselves in gold mining cannot be agents for others in that industry. (*Ibid.*, § 31.)

In those places where trade guilds exist, plasterers, brick-layers, masons, quarry-men, carpenters, and paviors, as also servants, are exempt from belonging to such guilds, but not if they belong to the Jewish faith. (*Vol. XI, Law on Industrial Professions*, 1887, § 285.)

In places of permanent Jewish residence Jews cannot be elected as masters of trade guilds. (*Ibid.*, § 306, note.)

In the committee of trade guilds, consisting of Christians and Jews, the master and vice-master must be non-Jews. (*Ibid.*, §§ 338 and 474.)

In places of the Pale, the governing body of such guilds are obliged to take note of all Jews as have joined the guild, so that those Jews may be expelled from the guild who have not followed their calling during six months, without sufficient cause. (*Ibid.*, § 346.)

Jewish working-men are allowed to have Christian apprentices only when at least one of their foremen is a Christian, and when they have obtained a special authorisation from the committee of the guild. (*Ibid.*, note to Art. 390.)

Jewish artisans residing outside of the Pale of Settlement may sell only the products of their own work; a licence of a guild merchant obtained by these Jews does not give them the right of selling articles not of their manufacture. (*Ibid.*, Art. 103, *Resolution of Senate*, 1874, No. 731.)

Jewish photographers are not permitted to open photographic establishments outside the Pale of Permanent Settlement, nor to enjoy as artisans the right of residing there. (*Circular of the Minister of the Interior*, 1875, April 3, No. 4395.)

ON CIVIL SERVICE.

It is prohibited to receive Jews into the Civil Service, except those of the following categories:—

1. Jews who have the scientific degree of doctor or

master, or the first-class university diploma, may be admitted in any part of the Empire. (*On Civil Service, vol. III., Art. 7, 46.*)

2. Jews who have a diploma of a physician of the second class, are admitted into the public medical service only within the Pale of Settlement. Outside of the Pale they are admitted only in the department of the Ministry of Education, and of the Ministry of the Interior, but not in St. Petersburg or Moscow, or in their respective provinces. (*Ibid., Art. 57.*)
3. In the Civil Service of the Army, the proportion of Jewish surgeons is limited (since 1882) to 5 per cent. Promotion is given to them only up to the fifth medical class, but with the consent of the chief commanders of the military districts. To posts above the fifth class they are not to be appointed at all. In a hospital there may be only one Jewish surgeon. To the district medical administration offices, to the chief medical administration offices, as well as to hospitals and offices in fortresses, they are not to be admitted at all. (*Imperial Order, 10th April, 1882.*)

The same rule as to the 5 per cent. proportion is to be applied to military surgeons' assistants and surgeons' apprentices. (*Ibid.*)

N.B.—In fact, even the Jews who possess all the exceptional qualifications determined by the law are not admitted as a rule into Civil Service, even for the most subordinate positions. Lately, notwithstanding the foregoing permissive laws, no Jews have been admitted as army surgeons.

The board of judges, and the council of sworn advocates, may receive among the number of private and of sworn advocates, persons who are not Christians; but they may not accept them without the express permission of the Ministry of Justice. (*Collection of Regulations, 1889, No. 127, § 1031.*)

A special permission of the Ministers of the Interior and of Justice is required for the reception of non-Christian private attorneys in the district sessions. (*Collection of Regulations, 1890, No. 47, § 398.*)

N.B.—Since the two foregoing regulations were enacted, not one Jew has been admitted as sworn advocate or private attorney. [But see note on p. 18.]

ON REPRESENTATION.

The election of Jews, in places of their permanent residence, to offices which they are allowed to fill, and which are of secular communal interest, can be effected only by their own congregational body, and apart from the elections for the same offices made by the Christian community. (*Vol. IX., Law on Status*, § 984.)

The number of non-Christian members of a town council may not exceed one-third of the entire number of members. (*Local Institutions*, 1886, *Art.* 1982.)

The number of members of the Committee of the Bourse in Odessa not professing the Christian religion must not exceed one-third of the entire number of members. The president of the Committee and the government broker may not be Jews. (*Collection of Regulations*, 1890, No. 78, § 794.)

A Jew is not eligible for the post of mayor, nor can he act as his *locum tenens*. The number of non-Christian deputies in the Municipal Council may not exceed a third of the entire number. (*Local Institutions*, *Art.* 2035.)

As Jews have no right to fill the duties of a mayor, they are altogether excluded from the presidency of municipal meetings. (*Circular of the Local Department of the Ministry of the Interior*, 1879, Oct. 12, No. 7795.)

Jews are not admitted at all to take part in the election of members for the local District and Provincial assemblies,* nor can they be elected to any office in these bodies or their Boards. (*Statute on Province and District Local Institutions (Zemstra)*; § XII. of the Law sanctioning the Statute, of 12th June, 1890; *Collect. of Laws*, No. 63, § 597.)

N.B.—This wholly excludes Jews from local self-government except municipal, and even then their number is limited to one-third.

By virtue of a general rule as to the eligibility of Jews, it is enacted that in the composition of official bodies not more than a third may consist of Jews, so that the two-thirds and the president must be Christians. (*Vol. IX., Law on Status*, § 983.)

Jews may not be elected to fill the office of president of school boards, whether in District or in Provincial towns, nor can they be chosen as members of the same by rural or urban electors. (*Collection of Laws*, 1889, No. 13, § 116.)

* Corresponding with English County Councils.

Jews are not eligible for the offices of mayor or police counsellors. Nor may they fill any other duties necessary in a town, which either have to be filled exclusively by Christians, or which from their nature cannot be conveniently and decently entrusted to Jews. (*Vol. IX., Law of Status*, § 989.)

In the nine Western Provinces, as also in the governments of Bessarabia, Ekaterinoslav, Poltava, Taurida, Cherson, and Tshernigov, on the appointment by rotation of thirteen jurors and three substitutes, the rule is to be observed that the number of Jews be in proportion to the number of Christians as the number of Jewish inhabitants of each district to the total population. (*Judiciary Law, Regulations on Criminal Procedure*, § 550, note, 1886.)

In the nine Western governments, as also in the governments of Bessarabia, Ekaterinoslav, Poltava, Taurida, Cherson, and Tshernigov, the foreman of a jury may not be a Jew. (*Law on Criminal Procedure*, § 670¹, 1886.)

In the Kingdom of Poland Jews cannot be elders of a hamlet unless it is exclusively inhabited by Jews. (*Civic Regulations of the Kingdom of Poland*, book I., § 16; VII, § 1.)

Jews are eligible for the office of "Lavnik" in hamlets inhabited by a mixed population, but only in cases in which they comprise not fewer than a third of the population. (*Ibid.*, note 2.)

Jews can be elected to the office of "Soltiss" (bailiff) only of such hamlets as are exclusively inhabited by Jews. (*Ibid.*, note 3.)

ON MILITARY SERVICE.

Jewish recruits may not be employed in guarding a quarantine district. (*Vol. XIII., Medical Law*, § 1532, 1886; *Collection of Military Regulations*, part 2, book 1, § 1180, note.)

Jewish privates and non-commissioned officers may not be employed to guard the frontier. (*Vol. VI., Law on Customs*, § 101; *Collection of Military Regulations*, part 2, book 1, § 1182, note.)

Jews may not serve in the navy. (*Collection of Milit. Regulations*, vol. XXXI. (30484).)

Jews may not serve as *gendarmes* in the districts of Warsaw and in the Caucasus; even such Jews as have embraced Orthodoxy are disqualified from this office. (*Collection of Military Regulations*, part 2, book 1, § 1184; *Suppl.*, § 1, note 1.)

Recruits of Jewish extraction may not be employed in the navy, nor in the local divisions, nor among the miners and sappers, nor in the commissariat service, nor as clerks. Recruits of all other denominations, who serve in the districts of the Amoor, have the right to take their families with them at the expense of the State, on condition of their settling permanently in that district on their entering the reserve. But Jewish recruits have not that permission. (*Circular of the Principal Staff*, 1889, July 31, No. 180; *Instructions*, § 24; *Suppl. 3, Rules.*)

Jewish soldiers and non-commissioned officers who are converts to Orthodoxy may not serve in any regiments or divisions permanently stationed in gubernia where Jews are registered. (*Collection of Milit. Regulations, part 2, book 1; Vol. V., Suppl. XVIII. (to § 213), 1859, and additions to the same, first continuation, 1861.*)

It is not allowed to employ Jewish soldiers as attendants upon officers. Jewish medical officers in the army, on the other hand, may employ none but Jewish attendants. (*Ibid.*, § 2129, *Suppl.*, § 39, and note.)

Although Jewish privates may be promoted to become non-commissioned officers and clerks, yet no further promotion to any military post or position as officer is allowed. (*Ibid.*, § 568.)

Soldiers and non-commissioned officers of the Jewish faith, notwithstanding they may have served their time and fulfilled the required conditions, may not be appointed as *porte-épée younkers** or become candidates for any post as officer. (*Ibid.*, § 727, note.)

Jewish soldiers and non-commissioned officers who belong to the reserve, although they may possess a degree in chemistry not lower than that of dispenser, may not, in case of a mobilisation of the army, be appointed to fill the post of army dispenser. (*Circular of the Principal Staff*, 1888, March 21st; No. 66, *Chief Milit. Authorities of Medicine.*)

Jewish soldiers and non-commissioned officers are not allowed to enter the schools for the training of officers. (*Ibid.*, part 2, book 15, § 506, note.)

In case Jews pass the examination in the subjects taught at the military schools, the following words shall be omitted from their certificate "As far as their knowledge is concerned, there is no objection to admitting them to the military schools."

* An upper degree of non-commissioned officers permitted to carry swords.

(*Collection of Regulations*, 1882, Sept. 17, No. 84, § 642; notes by the authorities; explanation from the Ministry of War.)

Since 1887 Jewish volunteers are no longer admitted to the examination for the rank of officer, either in the military schools or in those for the training of officers or by special commission.

Since 1889 Jews are no longer permitted to serve in the army as bandmasters, and of young Jewish soldiers no greater proportion may be appointed as musicians than one-third of the total number of members of the band.

Jews belonging to the reserve or being substitutes for those entering active service, according to the regulations of the military law, have no right of residence outside the Pale of Jewish Settlement. (*Resolutions of the Senate, 1st Department*, 1885, May 1st, No. 3372.)

The law which forbids Jews from residing outside the precincts of towns and townlets applies also to Jews belonging to the reserve or having unlimited furlough, who have completed their military duties according to the previous recruiting law. (*Resolutions of the Senate, 1st Department*, 1885, October 3; *Circular of the Ministry of the Interior*, November 6th, No. 29.)

ON LEGAL PROCEDURE IN REFERENCE TO THE JEWS.

In gubernia where Jews are permitted to reside permanently, they are allowed to give evidence in actions concerning such of their co-religionists as have embraced Christianity, but only in such cases where a sufficient number of Christian witnesses cannot be found. (*Vol. X., part 2*, § 233; *vol. XV., part 2*, § 251.)

In actions concerning Jews who have embraced Christianity, Jews may not be admitted as witnesses if an objection is raised against such admission. (*Law on Criminal Procedure*, § 96, note; 4707, note 5; *Law of Military Courts*, §§ 621, 848; *Law of Naval Courts Martial*, §§ 318, 767.)

In the form of oath specially administered to Jews the following extra words must occur: "With a pure heart and without mental reservation, but in accordance with the thoughts and intention of those who administer the oath to me." (*Vol. XI., part 1, Law on Foreign Denominations*, § 1061 (note); *Suppl. continued 1886*.)

ON PUNISHMENTS.

No persons, except Rabbis authorised by the Government, and their assistants, are allowed to perform the ceremonies of the Jewish religion, as laid down in the law concerning alien religious denominations. Those who infringe this regulation are liable to the following penalties: For the first offence, imprisonment from fourteen days to four months; for the second offence to penal servitude for four years. The head of the family at whose instance such ceremony has been performed, has to pay a fine not exceeding twenty roubles. (*Criminal Law*, § 302.)

Non-Jews, guilty of concealing military deserters are liable to imprisonment from two to four months, or to military arrest from three weeks to three months. But a Jew who has concealed a Jewish deserter, even during ever so short a time, is liable to penal servitude from twelve to eighteen months. In addition to this, the members of the Jewish Community where a Jewish deserter has been concealed, will be sentenced to a fine not exceeding 300 roubles. (*Criminal Law*, 1885, §§ 528 and 530.)

If a non-Jew evades the fulfilment of his military duties, the liability, according to §§ 506-520, to punishment lies only upon him personally. But if a Jew evades the fulfilment of his military duties, his family is liable to a fine of 300 roubles, over and above his own personal responsibility. (*Law on Military Duty*, 1886, § 360.)

Non-Jews, convicted of contraband importation of foreign goods, and of smuggling in general, or of participation in the same, are liable to punishments laid down in *Penal Code*, §§ 744-764, 766-781, 784, 787, 790, 801-817, 819-821. But Jews, besides the ordinary punishment, will be removed to a distance of fifty versts from the frontier, not merely if convicted of smuggling, but even if suspected of that offence. They may be thus removed with their families without a regular sentence by a judge, and merely on the requisition of the Custom House authorities. (*Vol. XIV., Law on Passports*, § 23, note, 1886.)

Persons of all denominations, other than Jewish, who have infringed the regulations as to the education of youth, are liable to pay the fines laid down in §§ 1049-1052 of the Penal Code. But Jewish teachers (*melamdim*), for the same offence,

are liable: for the first and second offences to a fine of *twice* the amount of the penalty to which non-Jews are liable under the same circumstances; for the third offence, over and above the payment of the fine, to an imprisonment of four to eight months. (*Penal Code*, § 1053.)

Jewish colonists, if guilty of negligence in their occupation, or of carrying on a trade not permitted them, are liable for the first offence to imprisonment of two to four months, for the second offence to double that punishment, for the third offence to penal servitude for four years. (*Ibid.*, § 1056.)

Those who are guilty of building synagogues or houses of prayer without permission, or who have built such within the distance from Christian churches prohibited by law, are liable to a fine not exceeding 200 roubles. (*Ibid.*, § 1074.)

Persons of all other denominations, who carry on a trade not permitted them by law, are, if found guilty, liable, according to § 1169, to a fine not exceeding 300 roubles. But Jews who carry on any trade outside the Pale of Jewish Settlement are punished by the confiscation of their goods and immediate expulsion. (*Ibid.*, § 1171.)

Non-Christians who have performed the ceremony of marriage on persons who have not reached the age prescribed by law, or who have performed an illegal divorce, will, as well as their accomplices, lose their posts and be imprisoned for a period of two to four months.

But Rabbis convicted of such breach of the law for the second time, will be punished with penal servitude for four years. (*Ibid.*, § 1579.)

REGULATIONS AS TO FOREIGN JEWS.

Foreign Jews, who obtain by inheritance house or landed property in Russia, must sell the same within the period of six months. (*Vol. IX., Law on Status*, § 960; *vol. XIV., Law on Passports*, § 296, 1887.)

Foreign Jews who are not Karaites, are not permitted to immigrate into Russia, or to become Russian subjects. (*Vol. IX., Law on Status*, § 991.)

Every foreigner on producing his passport will be required to declare, among other things, to which religious denomination he belongs. (*Vol. XIV., Law on Passports*, § 486, note, § 7, 1886.)

Foreign Jews shall be furnished with passports, on which it shall be expressed that the same is valid only for such places where the Jews may permanently reside. (*Ibid.*, §§ 8, 2.)

Foreign Jewish subjects known from their social position, and from their large business transactions, on visiting Russia, are permitted to carry on their business within the Empire, and to found banking houses, subject to their becoming merchants of the first guild. This can only take place if a special permission has been granted to that effect by the Ministers of Finance, of the Interior, and of Foreign Affairs; such permission must be solicited again at every renewal of the merchant guild certificate. (*Vol. IX.*, § 1001, note 1, 1887.)

All foreigners who visit Russia for the purpose of transacting business, either without becoming Russian subjects, or with the intention of becoming Russian subjects, are required first to produce a certificate from a foreign Consistorium, or any other high clerical authority, to the effect that they and their families are Christians. The same law applies to those who arrive from the Kingdom of Poland, and from the Grand Duchy of Finland. (*Ibid.*, note 3.)

Jews from Roumania who have no means of subsistence, will not be admitted into Russia. (*Vol. XIV., Law on Passports*, § 487, *contin.*, 1886.)

The local authorities shall keep a strict watch, that no foreign Jews reside under Christian names in places where they are prohibited to stay. (*Vol. XIV., Law on Passport*, § 531, 1886.)

Foreign Jews may not manage or farm inhabited or uninhabited estates. (*Vol. IX.*, § 1004.)

General Observation.—The restrictive laws hereinbefore enumerated, the stringency of which is sufficiently obvious, give a very inadequate idea of their full working effectiveness. Their practical working is intensified by a series of rulings by the Senate (the Court of Judicature), which has almost invariably interpreted the laws in a sense unfavourable to the Hebrews. It may therefore be readily understood that these laws are not only applied, but over-strained in their scope and intention by the Russian officials.



UNIVERSITY OF CALIFORNIA LIBRARY
Los Angeles

This book is DUE on the last date stamped below.

REC'D LD-UNL

SEP 26 1986

SEP 26 1986

1089

LIB. X

UC SOUTHERN REGIONAL LIBRARY FACILITY



AA 001079221 6



3 1158 00218 1989

